

Kansas Register

Bill Graves, Secretary of State

Vol. 11, No. 52 December 24, 1992 Pages 1953-1998

In this issue . . .

Page

Legislative interim committee schedule	1954
Department of Revenue—Division of Property Valuation	
Notice of property valuation guides	1954
Kansas State Treasurer	
Notice of investment rates	1955
State Board of Accountancy	
Notice of hearing on proposed administrative regulations	1955
State Conservation Commission	
Notice to contractors	1955
Kansas Racing Commission	
Notice of hearing on proposed administrative regulations	1955
Department of Administration	
Notice of commencement of negotiations for ancillary technical services	1956
Notice of commencement of negotiations for engineering services	1956
Private Industry Council	
Request for proposals	1956
Board of Emergency Medical Services	
Notice of meeting	1957
Notice to bidders for state purchases	1957
Kansas Commission on Governmental Standards and Conduct	
Advisory Opinions No. 92-39 and 92-40	1958
State Board of Regents	
Request for bids for oil and gas lease	1959
Department of Health and Environment	
Notice of hearing on proposed administrative regulations	1959
Notice concerning proposed permit action	1960
Notice concerning Kansas water pollution control permits	1960
Northwest Kansas Groundwater Management District No. 4	
Notice of meeting and public hearing	1960
Kansas State University	
Notice to bidders	1962
University of Kansas	
Notice to bidders	1962
Department of Transportation	
Notice of public auction	1962
Notice to contractors	1962
Notice of Bond Redemption	
Kansas Municipal Energy Agency	1964
Notice of Bond Sale	
Lyon County	1964
City of Buhler	1965
Secretary of State	
Notice of corporations forfeited	1966
Kansas Water Office	
Notice of hearing	1967
Permanent Administrative Regulations	
Kansas Insurance Department	1967
Temporary Administrative Regulations	
The Kansas Lottery	1972
Kansas Racing Commission	1974
Index to administrative regulations	1991

State of Kansas

Legislature

Interim Committee Schedule

The following committee meetings have been scheduled during the period of December 28 through January 10:

Date	Room	Time	Committee	Agenda
January 5	514-S	10:00 a.m.	Health Care Decisions for the 1990's	Update on all areas considered by committee since 1992 Session.
January 6	514-S	9:00 a.m.		
January 8	527-S	9:00 a.m.	Legislative Post Audit	Legislative matters.

Emil Lutz
Director of Legislative
Administrative Services

Doc. No. 012894

State of Kansas

**Department of Revenue
Division of Property Valuation**

Notice of Property Valuation Guides

The Division of Property Valuation has adopted the following guides for the 1993 tax year:

I. P.V.D. devised guides:

1. Kansas Reappraisal Manual
2. Manufactured Housing Appraisal Guide
3. Guidelines for Real Estate Sales Validation
4. Miscellaneous Property Guide
5. Motor Vehicle Reference Guide
6. Oil & Gas Appraisal Guide
7. Crude Oil Price Schedule: 1993 Tax Year
8. Personal Property Reference Guide
9. 1993 Agricultural Land Values

II. Copyrighted guides which are prescribed:

1. Truck Blue Book, January 1993 Edition
2. Abos Marine Blue Book, 1993 Edition
3. N.A.D.A. Recreation Vehicle Appraisal Guide, Three 1993 Editions
4. Aircraft Bluebook—Price Digest, Winter 1992-1993 Edition
5. N.A.D.A. Used Car Guide, January 1993 Edition
6. N.A.D.A. Motorcycle Guide, January 1993 Edition
7. N.A.D.A. Older Used Car Guide, January 1993 Edition

These guides are available for public inspection during regular office hours at the Division of Property Valuation, Docking State Office Building, 915 S.W. Harrison, Topeka 66612.

David C. Cunningham
Director of Property Valuation

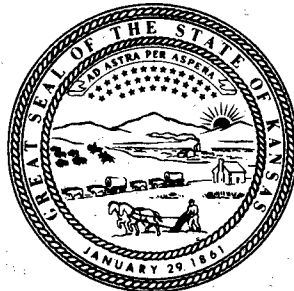
Doc. No. 012878

The Kansas Register (ISSN No. 0744-2254) is an official publication of the State of Kansas, published by authority of K.S.A. 75-430. The Kansas Register is published weekly by the Kansas Secretary of State, State Capitol, Topeka, KS 66612-1594. One-year subscriptions are \$60 (Kansas residents must include \$3.54 state and local sales tax). Single copies may be purchased, if available, for \$2 each. Second class postage paid at Topeka, KS.

Postmaster. Send change of address form to Kansas Register, Secretary of State, State Capitol, Topeka, KS 66612-1594.

© Kansas Secretary of State 1992. Reproduction of this publication in its entirety or for commercial purposes is prohibited without prior permission. Official enactments of the Kansas Legislature and proposed and adopted administrative regulations of state agencies may be reproduced in any form without permission.

PUBLISHED BY
Bill Graves
Secretary of State
2nd Floor, State Capitol
Topeka, KS 66612-1594
(913) 296-2236



Register Office:
235-N, State Capitol
(913) 296-3489

State of Kansas

Office of the State Treasurer

Notice of Investment Rates

The following rates are published in accordance with K.S.A. 75-4210 as amended per 1992 Session Laws of Kansas, Chapter 146. These rates and their uses are defined in K.S.A. 75-4201(l), 12-1675(b)(c)(d) and K.S.A. 75-4209(a)(1)(B), as amended by the 1992 Legislature.

Effective 12-28-92 to 1-1-93

Term	Rate
0-90 days	3.02%
3 months	3.21%
6 months	3.41%
12 months	3.75%
24 months	4.66%
36 months	5.33%
48 months	5.70%

Sally Thompson
State Treasurer

Doc. No. 012881

State of Kansas

Board of Accountancy

Notice of Hearing on Proposed
Administrative Regulations

The Board of Accountancy will conduct a formal administrative hearing at 11 a.m. Friday, January 29, in Conference Room 108, Landon State Office Building, 900 S.W. Jackson, Topeka, for the purpose of amending K.A.R. 74-5-2 to include the definitions of audit, review and compilation. There is no fiscal or economic impact expected by enactment of this amendment on the citizens of the state of Kansas, other state agencies, or certified public accountants.

Anyone interested in testifying before the board at this hearing should contact the executive director in writing advising approximately how much time will be needed for such testimony. Requests for copies of the full text of the regulation or written comments to the board for consideration should be addressed to the executive director, Suite 556, Landon State Office Building, 900 S.W. Jackson, Topeka 66612, in advance of the hearing during this 30-day public comment period.

In addition, the board will hold a regular meeting beginning at 9 a.m. January 29 at the same location. Anyone interested in agenda items or in testifying before the board should contact the executive director in writing at least 10 days in advance of the meeting date.

Glenda Moore
Executive Director

Doc. No. 012883

State of Kansas

State Conservation Commission

Notice to Contractors

Sealed bids for the construction of a 30,000 cubic yard detention dam, Site 2-26 in Brown County, will be received by the Roy's Creek Watershed District No. 75 at King Engineering, Inc., 125 W. 4th, Holton 66436, until 11 a.m. January 14, or hand carried and submitted prior to bid opening at 1 p.m. at the Soil Conservation Service Office, 1310 Oregon St., Hiawatha.

A copy of the invitation for bids and plans and specifications can be obtained from the office of King Engineering, Inc., (913) 364-4312, or reviewed at the Soil Conservation Service Field Office, Hiawatha, (913) 742-2012. A \$25 returnable deposit is required for each set of plans.

Kenneth F. Kern
Executive Director

Doc. No. 012880

State of Kansas

Kansas Racing Commission

Notice of Hearing on Proposed
Administrative Regulations

A public hearing will be conducted at 9:30 a.m. Friday, February 5, in the hearing room at commission offices, 3400 Van Buren, Topeka, to consider the adoption of proposed permanent amendments to regulations of the Kansas Racing Commission. This 30-day notice constitutes a public comment period for the purpose of receiving written public comments on these proposed regulations.

A copy of the full text of the regulations and the economic impact statement may be reviewed or obtained at the commission office. The following is a summary of the proposed amendments.

K.A.R. 112-9-18a, Trifecta pools; 112-9-39a, Superfecta pools; 112-9-40a, Tri-superfecta pools; 112-9-41a, Twin trifecta; 112-9-42, Twin-superfecta pools. The amendments proposed for these related parimutuel regulations would allow exotic wagers on coupled and field entries. Economic impact: none known.

K.A.R. 112-9-43. Capping carryover pools. This proposed temporary regulation states different methods for the capping of carryover pools. Economic impact: none known.

K.A.R. 112-9-44. Place pick (N) pools. This proposed temporary regulation provides for a new exotic wager. It is patterned after the uniform rule drafted by the Association of Racing Commissioners International. Economic impact: none known.

Dana Nelson
Executive Director

Doc. No. 012874

State of Kansas

**Department of Administration
Division of Architectural Services**

**Notice of Commencement of Negotiations
for Ancillary Technical Services**

Notice is hereby given of the commencement of negotiations for chemical engineering services related to the development of a chemical safety program for the Division of Emergency Preparedness. The term of these services will be limited to a 12-month period.

The scope of work will involve organizing, researching and coordinating the development of chemical safety for large refineries or manufacturers of extremely hazardous substances as defined by the EPA. The work will entail conducting and directing environmental research, implementing new or improved chemical safety plans for industry, and integrating industry plans with local emergency preparedness plans. The project will concentrate the development of the plan in at least five industrial counties in Kansas (Butler, Johnson, Sedgwick, Shawnee and Wyandotte).

Interested individuals and/or small-business firms must be able to demonstrate skills, knowledge and abilities in the following areas: knowledge of the principles and practices of research methodology, product compounding and plan development; knowledge of modern chemical safety methods, equipment and materials stresses; ability to plan, organize, and direct the operation of a large chemical safety plan; and ability to develop the methods and procedures to be followed in the analysis of an extensive variety of substances and materials.

Individuals and/or firms interested in providing these services should submit an original letter of interest, indicating their qualifications and educational background. A federal SF 255 form is required as an attachment to the letter of interest. The SF 255 form should detail the specific project experience which is directly applicable, or similar to, this project.

Any question or expressions of interest should be directed to George Steele, Division of Architectural Services, 625 Polk, Topeka 66603, (913) 233-9367, on or before January 8. An original and five copies of the SF 255 form (plus attachments as required) should be submitted with letters of interest.

J. David DeBusman
Director, Division of
Architectural Services

Doc. No. 012884

State of Kansas

Private Industry Council

Request for Proposals

The SDA II Private Industry Council, Inc., 117 S.W. 10th, Topeka 66612, is issuing a request for proposal to provide employment and training programs to its participants in a 17 county area in Northeast Kansas. Between \$150,000 and \$200,000 in grant funds will be available to organizations that are interested in providing occupational skill training, pre-employment skill training, and basic educational skill training programs to our participants. These services are to be provided to both metropolitan and rural areas.

To receive a "Request for Proposal," including all specifications, call (913) 234-0500 or write to the address above. Bids must be received no later than noon February 15. A pre-bid conference is set for January 22. The SDA II Private Industry Council, Inc. welcomes all interested organizations to bid.

Brent D. Roper
Director of Fiscal and Planning

Doc. No. 012869

State of Kansas

**Department of Administration
Division of Architectural Services**

**Notice of Commencement of
Negotiations for Engineering Services**

Notice is hereby given of the commencement of negotiations for engineering services for the design of the replacement of the following utilities in the tunnel system of the Lansing Correctional Facility:

- Steam piping and insulation
- Condensate return piping and insulation
- Hot water piping and insulation
- Cold water piping

Temporary insulation on piping and a dewatering system for the tunnels shall also be required.

It is anticipated work will be completed in two phases during the summers of 1993 and 1994.

Individuals and/or firms interested in providing these services should submit a letter of interest, indicating their qualifications and educational background. A federal SF 255 form is required as an attachment to the letter of interest. The SF 255 form should detail the specific project experience which is directly applicable, or similar to, this project.

Any questions or expressions of interest should be directed to George Steele, Division of Architectural Services, 625 Polk, Topeka 66603, (913) 233-9367, on or before January 8. An original and five copies of the SF 255 form (plus attachments as required) should be submitted with letters of interest.

J. David DeBusman
Director, Division of
Architectural Services

Doc. No. 012891

State of Kansas

Board of Emergency Medical Services

Notice of Meeting

The Board of Emergency Medical Services will meet at 9 a.m. Friday, January 8, in Room 11, State Defense Building, 2800 S. Topeka Blvd., Topeka. Agenda items include committee reports and election of officers.

All meetings of the board are open to the public. For more information contact the administrator at 109 S.W. 6th, Topeka, (913) 296-7296.

Bob McDanel
Administrator

Doc. No. 012879

State of Kansas

Department of Administration
Division of Purchases

Notice to Bidders

Sealed bids for items hereinafter listed will be received by the Director of Purchases, Landon State Office Building, 900 S.W. Jackson, Room 102, Topeka, until 2 p.m. local time on the date indicated, and then will be publicly opened. Interested bidders may call (913) 296-2377 for additional information.

Monday, January 4, 1993

29354

Department of Transportation—Cement

29371

Statewide—Laser printer cartridges—
remanufactured

94735

University of Kansas—Paper, printing and binding

Tuesday, January 5, 1992

29363

Statewide—Automotive filters

29365

University of Kansas Medical Center—
Miscellaneous groceries

29372

Department of Social and Rehabilitation Services/
Industries for the Blind—Laser printer cartridge
supplies

94160-Rebid

Department of Wildlife and Parks—Outdoor toilet
kits, Garden City

94715

Kansas State University—Hi-Pro soybean meal

94741

Kansas State University—Fume hoods

Wednesday, January 6, 1993

94719

University of Kansas—Workstation for AIX
software development

94720

Department of Human Resources—Upgrades for
IBM processor Model 170

Thursday, January 7, 1993

29369

Kansas State University—Bulk oxygen (medical
quality)

94722

University of Kansas—Fine paper, recycled

94723

Kansas Lottery—Ticket dispensers and brochure
holders

94724

Legislative Division of Post Audit—High-speed
photocopier

94729

Kansas State University—Tractor

94731

University of Kansas Medical Center—Photocopier
with card system

Friday, January 8, 1993

94736

Winfield State Hospital—Impermeable laundry
bags

94737

Kansas Correctional Industries—Denim

94738

Department of Administration/Central Motor
Pool—Automobiles

94742

Department of Wildlife and Parks—Refuse truck

94744

University of Kansas—Centrifuge

Tuesday, January 12, 1993

A-7014

Emporia State University—Transformer
replacement—Cram Science Hall and Welch Stadium

Wednesday, January 13, 1993

A-6960(a)

Topeka State Hospital-West—Feldman electrical
service improvements

A-6961, A-6962

Rainbow Mental Health Facility—Cottage C-4
remodel and A/C rooftop replacements

Wednesday, January 20, 1993

A-6868

Department of Administration—Upgrade fire alarm
and security systems, Governor's residence

Request for Proposals

Tuesday, January 12, 1993

29373

Salina area office lease for the Department of
Social and Rehabilitation Services

Jack R. Shipman
Director of Purchases

Doc. No. 012887

State of Kansas

Commission on Governmental Standards
and Conduct

Advisory Opinion No. 92-39

Written December 3, 1992, to Michael L. Johnston,
Secretary of Transportation, Topeka.

This opinion is in response to your letter of November 12, 1992, in which you request an opinion from the Kansas Commission on Governmental Standards and Conduct concerning the state conflict of interest law (K.S.A. 46-215 *et seq.*).

Factual Statement

We understand you request this opinion in your capacity as Secretary of Transportation. You advise us that four employees of the Department of Transportation's Bureau of Rail Affairs collaborated on and produced a research paper on a rail transportation issue. All work on the paper occurred as part of the employees' regular duties for which they received their regular pay. The Department of Transportation's equipment, facilities and support help were utilized in the production of the work.

With the Department of Transportation's consent, the research paper was submitted to the Transportation Research Forum and was judged to be the best research paper on rail topics, which made available to its authors a cash award of \$1,500. As winner of the rail topics competition, the research paper was then eligible for consideration as best overall paper. The research paper was again judged the best paper, which made available to the authors a second cash award of \$2,500. At the time the research paper was submitted, the existence of both cash awards were unknown to the four employees.

Question

You ask whether the KDOT employees, who produced the research paper during the regular course of their employment, may accept a cash award after being judged best at a competition.

Opinion

We must first assume that the entity giving the awards is not licensed, inspected or regulated by KDOT (see K.S.A. 46-237(c)). If this assumption is not correct, please ask for an additional opinion immediately.

Assuming the entity does not license, inspect, or regulate KDOT, the only other section of the act that might apply would be K.S.A. 46-235. That section states:

No state officer or employee shall accept compensation for performance of official duties, other than that to which such person is entitled for such performance. No person shall pay or offer to pay any state officer or employee any compensation for performance of official duties, except a state officer or employee performing official duties in making payments to state officers and employees.

The receipt of wages or salary from an individual's non-state employer during a period of service as a state officer or employee shall not be construed as compensation for performance of official duties.

In addition, "compensation" is defined in K.S.A. 46-216 as follows:

"Compensation" means any money, thing of value, or economic benefit conferred on, or received by, any person in return for services rendered, or to be rendered, by such person or another.

It appears clear to us that the receipt of an award from a competition of the kind you have described does not constitute an economic benefit received "for services rendered." Thus, since the definition of "compensation" is not met, K.S.A. 46-235 does not apply to the situation you have described. It is, therefore, our opinion, absent some law outside our jurisdiction to the contrary, that the situation you have described is permissible.

Advisory Opinion No. 92-40

Written December 3, 1992, to Glenda Reynolds,
Whitewater.

This opinion is in response to your letter of October 28, 1992, in which you request an opinion from the Kansas Commission on Governmental Standards and Conduct concerning the state conflict of interest law (K.S.A. 46-215 *et seq.*).

Factual Statement

We understand you request this opinion in your capacity as an SRS worker in the Wichita office on your own behalf and on behalf of your husband who is the Chief of Social Services at the Wichita Area SRS. You advise us that you also serve without compensation on the board of directors of a home for pregnant teens during your tenure and/or your husband's tenure with SRS.

Opinion

K.S.A. 46-233 and K.S.A. 46-286 relate to your question. We first note that in applying K.S.A. 46-233, both you and your husband are deemed to hold a "substantial interest" in the home because of your service on the board of directors (K.S.A. 46-229(d)). Thus, you must both abstain from participation in the making of contracts in your capacities as state officials with the home.

In addition, under K.S.A. 46-286 you may not participate in your capacity as a state official in the licensure, inspection, administration, or enforcement of any regulation concerning the home.

Other than the two requirements defined above, K.S.A. 46-215 *et seq.* does not prohibit you from serving on the board of directors during yours or your husband's tenure as state employees.

Richard C. Loux
Chairman

Doc. No. 012867

State of Kansas

Department of Health
and EnvironmentNotice of Hearing of Proposed
Administrative Regulations

The Kansas Department of Health and Environment will conduct a public hearing at 1:30 p.m. Monday, January 25, in Henderson Learning Center, Room 100, on the Washburn University campus, Topeka. An additional location linked by telephone to serve interested parties in western Kansas will be at the Trails Room of the Memorial Union, Fort Hays State University, Hays. KDHE staff will be available at both sites. The purpose of this public hearing is to consider adoption of proposed new temporary and permanent regulations K.A.R. 28-29-84 and K.A.R. 28-29-85.

K.A.R. 28-29-84 establishes a permit fee schedule for any solid waste disposal facility or area. K.A.R. 28-29-85 establishes a state mandated solid waste tonnage fee schedule and collection process for municipal solid waste facilities.

K.A.R. 28-29-84 formalizes existing permit fee procedures and modifies the fee structure, creating an economic impact just over \$100,000. The proposed permit annual renewal fee for a construction demolition debris disposal area and a transfer station is \$500; for a solid waste compost facility \$250; for an incinerator, an industrial solid waste disposal area, processing or reclamation facility \$1,000; and a municipal solid waste disposal area if \$2,000. A similar but higher fee schedule is proposed for new permit application fees. New permit fees and annual renewal fees will generate approximately \$100,000 annually, recognizing that local units of government are exempt from these fees.

K.A.R. 28-29-85 establishes the mechanism for the collection of the state solid waste tonnage fees mandated by the state legislature. This regulation requires that large scale municipal solid waste facilities use scales in measuring tonnages and remit the fees monthly. Smaller facilities are given several alternative measurement and tonnage fee payment options that require quarterly payments. This new fee and its costs of implementation will range from \$3,725,000 to \$5,700,000.

Copies of the regulations and the economic impact statement may be obtained from the Kansas Department of Health and Environment, Bureau of Waste Management, Forbes Field, Topeka 66620, (913) 296-1590. Questions pertaining to these proposed rules should be directed to Kent Foerster at (913) 296-1540.

The time period between the publication of this notice and the scheduled hearing constitutes a public comment period for the purpose of receiving written comments prior to the hearing. All interested parties will be given reasonable opportunity during the hearing to present their views, orally or in writing, concerning the adoption of the regulations. Following the hearing, all comments will be considered in determining whether to make changes to the proposed new regulations.

Robert C. Harder
Secretary of Health
and Environment

Doc. No. 012882

State of Kansas

Board of Regents

Request for Bids for
Oil and Gas Lease

Under authority of K.S.A. 76-164 through 76-168, the State Board of Regents has determined that certain lands in Morton County, Kansas, owned by Kansas State University, such tracts consisting of approximately 640 acres, are valuable for leasing for the purpose of the production of oil and gas and that such land can be leased for such purpose. The board intends to lease the lands described as:

Section Twenty-six (26), Township Thirty-four (34) South, Range Forty-three (43) West, Morton County, Kansas.

The terms and conditions prescribed by the board of such leasing and the provisions for the competitive bids in accordance with law for the same and other matters incidental thereto are contained in a resolution passed by the board on November 19 and contained in the minutes of the board, which minutes and resolution are now and until the date and time fixed for the receipt of competitive bids are open to public inspection in the office of the State Board of Regents, Suite 609, Capitol Tower, 400 S.W. 8th, Topeka 66603. Copies may be obtained by application to Ted D. Ayres, general counsel and director of governmental relations for the State Board of Regents.

Competitive bids for leasing of the land will be received by the board until 8 a.m. February 18. No bids will be received after said date and hour, and any bids received will be thereafter considered by the board. Any lease or leases entered into by the board will be awarded by the board to the highest, responsible bidder therefore, provided that the board reserves the right to reject any and all bids.

Bids should be addressed to the general counsel and director of government relations of the State Board of Regents. The outside of the envelope containing bids should be plainly marked "Bid on Oil and Gas Lease." Only such bids as shall be in substantial conformity with the terms and provisions of the aforesaid resolution will be considered or accepted by the board.

Stanley Z. Koplik
Executive Director

Doc. No. 012871

State of Kansas

Northwest Kansas Groundwater
Management District No. 4

Notice of Meeting and Public Hearing

The Northwest Kansas Groundwater Management District No. 4 board will meet at 10 a.m. Thursday, January 7, at the district office, 1175 S. Range, Colby. General administrative matters and other business will be discussed. The board also will conduct a revised budget hearing at 1 p.m. the same day, also at the district office, to incorporate all 1992 unexpended funds into the previously approved 1993 operating budget.

Wayne A. Bossert
Manager

Doc. No. 012876

State of Kansas

Department of Health
and Environment

Notice Concerning Proposed Permit Action

The Secretary of Health and Environment is proposing to issue an air emission source construction permit in accordance with K.A.R. 28-19-14 (permits required) to Wittmer Paving, Inc., Wichita, to install and operate a portable ready-mix concrete plant to be initially located at Harry Street and Ridge Road, Wichita.

Written materials, including the permit application and information relating to the application submitted by Wittmer, draft permit, permit summary and analysis by KDHE describing the basis for the proposed permit, are available for public inspection during normal business hours through January 20 by contacting David Butler, Air Quality District Representative, KDHE office, 1919 N. Amidon, Wichita, (316) 838-1071. This material also can be reviewed at the KDHE office in Building 740, Forbes Field, Topeka. Questions concerning this proposed permit should be directed to L. C. Hinthner, KDHE, (913) 296-1576.

K.S.A. 65-3008 provides that any person affected by the issuance of a permit can request a public hearing prior to its issuance. The request must be in writing and addressed to the secretary. If the secretary determines there is sufficient reason in the request, a public hearing will be conducted—the place, date and time of the hearing will be announced in this publication.

A request for a hearing or written comments on the proposed permit must be submitted to the Secretary, Kansas Department of Health and Environment, Landan State Office Building, 900 S.W. Jackson, Topeka 66612, before January 20.

Robert C. Harder
Secretary of Health
and Environment

Doc. No. 012889

State of Kansas

Department of Health
and EnvironmentNotice Concerning Kansas
Water Pollution Control Permits

In accordance with state regulations 28-16-57 through 63, 28-18-1 through 4, and the authority vested with the state by the administrator of the U.S. Environmental Protection Agency, tentative permits have been prepared for discharges to the waters of the United States and the state of Kansas for the applicants described below. The tentative determinations for permit content are based on preliminary staff review, applying the appropriate standards, regulations, and effluent limitations of the state of Kansas and the EPA, and when issued will result in a state water pollution control permit and national pollutant discharge elimination system authorization to discharge subject to certain effluent limitations and special conditions.

Public Notice No. KS-AG-92-106

Name and Address of Applicant	Legal Description	Receiving Water
Ostmeyer Hog Farm % Patrick A. Ostmeyer Route 2, Box 104 Lincoln, KS 67455	SE/4, Sec. 23, T13S, R7W, Lincoln County	Saline River Basin

Kansas Permit No. A-SALC-S007

The proposed facility will have capacity for approximately 450 swine. Wastewater Control Facilities: Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided in excess of minimum requirements.

Compliance Schedule:

1. Open hog lots located east of the access road to the farrowing house shall be removed from service, in accordance with pollution control plans approved by the department December 7, 1992, within 30 days of permit issuance.
2. Water pollution controls at the facility shall be upgraded in accordance with the plans and specifications approved by the department December 7, 1992, within 120 days of permit issuance.
3. Written documentation shall be submitted to the department within 120 days of permit issuance verifying additional wastewater handling equipment has been acquired through purchase or lease to meet permit requirements (55,700 gallon per day).
4. A livestock waste management plan for the facility shall be developed. The plan shall cover, but be limited to, the following items: handling and disposal equipment for both solid and liquid wastes, land waste application rates based on crop nutrient utilization, and identification of adequate land areas of application for all wastes. Detailed guidance and requirements will be provided by the department. A plan shall be submitted to the department within six months following receipt of detailed requirements. The approved plan will become part of this permit.

Public Notice No. KS-ND-92-75

Name and Address of Applicant	Waterway	Type of Discharge
Waste Management and Design, Inc. Dodge City Facility 321 2nd St. Webster City, IA 50595 Ford County, Kansas	Non-discharge	Total containment

Kansas Permit No. I-UA11-N005

Description of Facility: This proposed facility is a pilot project for commercial composting of meat packing plant waste by-products. For the pilot project, anaerobic sludge, paunch and cattle manure will be blended and composted in a 20 acre area. The finished product will be land applied offsite as a soil amendment. The facility is designed to prevent discharge of contaminants from the site. Proposed effluent limitations are pursuant to Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f).

Public Notice No. KS-92-199/202

Name and Address of Applicant	Waterway	Type of Discharge
Exxon Chemical Company 100 S. Penalosa Kingman, KS 67068	Arkansas River via Ninnescah River via unnamed tributary	Cooling water and effluent from scrubber

Kingman County, Kansas

Kansas Permit No. I-AR52-P003

Fed. Permit No. KS-0117838

Description of Facility: The principal activity of this facility is the extrusion of polypropylene into polypropylene twine. Proposed effluent limitations are pursuant to Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f).

Name and Address of Applicant	Waterway	Type of Discharge
Johnson County Wastewater Districts Little Bull Creek SSD #2 10881 Lowell, Suite 100 Overland Park, KS 66210	Marais des Cygnes River via Big Bull Creek via Little Bull Creek	Treated process and domestic wastewater

Johnson County, Kansas

Kansas Permit No. I-MC51-P001

Fed. Permit No. KS-0119296

Description of Facility: The existing facility is a complete-mix activated sludge process used to treat process and domestic wastewater from businesses located in the Johnson County Industrial Airport Industrial Park complex. Proposed effluent limitations are pursuant to Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f).

Name and Address of Applicant	Waterway	Type of Discharge
City of Lawrence City Hall, Box 708 Lawrence, KS 66044	Kansas River	Secondary wastewater treatment facility

Douglas County, Kansas

Kansas Permit No. M-KS31-I001

Fed. Permit No. KS-0038644

Description of Facility: The facility is designed for the treatment of domestic sewage. This is an existing facility. Proposed effluent limitations are pursuant to Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and are water quality limited.

Name and Address of Applicant	Waterway	Type of Discharge
TSW Products Company, Inc. 715 Corey Blvd. Hutchinson, KS 67504-1642	Arkansas River via Cow Creek via Grand View Industrial (G.V.I.) drainage ditch	Non-contact cooling water

Reno County, Kansas

Kansas Permit No. I-AR49-C011

Fed. Permit No. KS-0088137

Description of Facility: This facility manufactures precision metal components for use in farm and industrial machinery. The facility discharges non-contact cooling water to G.V.I. drainage ditch. Proposed effluent limitations are pursuant to Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f).

Public Notice No. KS-PT-92-12

Name and Address of Applicant	POTW	Type of Discharge
Parker Hannifin Corporation Manhattan Facility 17325 Enclid Ave. Cleveland, OH 44112 Riley County, Kansas	Manhattan MWWTP	Process wastewater

Kansas Permit No. P-KS38-0001

Description of Facility: This facility manufactures various types of hydraulic and general purpose synthetic rubber hoses. An average of 31,772 pounds of rubber is processed per day in order to manufacture the high pressure hoses. Regulated wastes are generated in the vulcanization and hydrostatic test areas and consist of contact cooling water, spent water from the vulcanizers and spent hydrostatic test water.

Written comments on the proposed determinations may be submitted to Bethel Spotts, Permit Clerk, or Dorothy Geisler (agricultural permits), Kansas Department of Health and Environment, Division of Environment, Bureau of Water, Forbes Field, Topeka 66620. All comments postmarked or received on or before January 23 will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate public notice number and the name of applicant as listed when preparing comments.

If no objections are received during the public notice period, the Secretary of Health and Environment will issue the final determinations. If response to this notice indicates significant public interest, a public hearing may be held in conformance with state regulation 28-16-61. Media coordination (newspapers, radio) for publication and/or announcement of the public notice or public hearing is handled by the Kansas Department of Health and Environment.

The application, proposed permit, including proposed effluent limitations and special conditions, fact sheets as appropriate, comments received, and other information are on file and may be inspected at the Kansas Department of Health and Environment offices, Building 740, Forbes Field, Topeka, from 8 a.m. to 4:30 p.m. Monday through Friday.

The documents are available upon request at the copying cost assessed by KDHE. Additional copies of this public notice also may be obtained at the Division of Environment.

Robert C. Harder
Secretary of Health
and Environment

Doc. No. 012890

State of Kansas

Kansas State University

Notice to Bidders

Sealed bids for items listed will be received by the Kansas State University Purchasing Office, Manhattan, until 2 p.m. local time on the date indicated, and then will be publicly opened. Interested bidders may call (913) 532-6214 or FAX (913) 532-5632 for additional information.

Wednesday, January 6, 1993

30066

Scanning spectrophotometer and cell positioner

William H. Sesler
Director of Purchasing

Doc. No. 012877

State of Kansas

Department of Transportation

Notice of Public Auction

The Kansas Secretary of Transportation will offer for sale at public auction at 10 a.m. January 26 the following one-story commercial building, a/k/a M & M CAFE, all furniture, fixtures, and operating equipment, located on the west side of Highway 75 south of Holton, Jackson County, Kansas.

Inspection of Property—January 18 at 10 a.m. and 30 minutes prior to time of auction, Tuesday, January 26.

The successful bidder is to remove structure and equipment from right of way on or before February 26, 1993. A \$2,500 performance bond must be posted on the day of the sale as a guarantee of removal. Any item not removed from the right of way on or before the specified date shall revert to and become the property of the Kansas Department of Transportation. The purchaser shall have no right, title, interest or claim to or lien upon said remaining items or part thereof, nor any claim against the Kansas Department of Transportation for the sale price paid after said date.

The purchaser shall not permit use or occupancy of structure pending removal from highway right of way.

The Kansas Department of Transportation ensures the acceptance of any bid pursuant to this notice will be without discrimination on the grounds of sex, race, color, religion, physical handicap, or national origin.

Terms of the Sale

Money order, certified or cashier's check for full price. Make check payable to "Secretary of Transportation." Purchaser will receive a bill of sale only.

The seller reserves the right to reject any and all bids and is not responsible for accidents. For additional information, contact Beverly Lee, Bureau of Right of Way, (913) 296-3501.

Michael Johnston
Secretary of Transportation

Doc. No. 012888

State of Kansas

University of Kansas

Notice to Bidders

Sealed bids for the items listed below will be received by the University of Kansas Purchasing Office, Lawrence, until 2 p.m. local time on the date indicated and then will be publicly opened. Interested bidders may call (913) 864-3416 or FAX (913) 864-3454 for additional information.

Monday, January 4, 1993

RFQ 93 0571

Desktop workstations with file server
and laser printers

Monday, January 11, 1993

RFQ 93 0596

Electron paramagnetic resonance spectrometer

Gene Puckett, C.P.M.
Director of Purchasing

Doc. No. 012873

State of Kansas

Department of Transportation

Notice to Contractors

Sealed proposals for the construction of road and bridge work in the following Kansas counties will be received at the office of the Chief of Construction and Maintenance, KDOT, Topeka, until 10 a.m. C.S.T. January 21, 1993, and then publicly opened:

District One—Northeast

Brown/Doniphan—106 K-4950-01—U.S. 36, 2.4 miles west of the junction of U.S. 73 in Brown County east to 0.7 mile east of the Brown-Doniphan county line and U.S. 73 from the north city limits of Horton north to Iowa Street in Hiawatha and from the north city limits of Hiawatha north 6.3 mile in Brown County, 31.4 miles, recycling. (State Funds)

Marshall/Nemaha—106 K-4946-01—K-9, from the north junction of K-99 in Marshall County east to the junction of K-187 in Nemaha County and K-88 from the north city limits of Vermillion north to the junction of K-9 in Marshall County, 15.8 miles, overlay. (State Funds)

Pottawatomie—16-75 K-2111-01—K-16, 1.2 miles south of Wheaton, then east to the north junction of K-16 and K-63, 13.0 miles, overlay. (State Funds)

Riley—81 K-4948-01—U.S. 24, from the east junction of U.S. 77 southeast to the north junction of K-13 and U.S. 77 from the east junction of U.S. 24 north to 1.6 miles south of the junction of K-16 in Riley County, 17.6 miles, recycling. (State Funds)

Wyandotte—105 K-5018-01—Replace 11 light towers on I-635, I-435, I-35 and U.S. 69, lighting. (State Funds)

District Two—Northcentral

Dickinson—4-21 M-1701-01—K-4 at the Marion-Dickinson county line, stockpile bituminous mix. (State Funds)

Geary—31 K-4979-01—K-57, from the north junction of U.S. 77 south to the south junction of U.S. 77; K-207, from the junction of I-70 north to the south city limits of Junction City; K-244, from the junction of FAS 270 east to the junction of K-57 (entire route); and K-244S from the junction of K-57 south to the junction of K-244 (entire route), 10.5 miles, recycling. (State Funds)

Geary—77-31 M-1714-01—U.S. 77, 1 mile south of I-70, stockpile bituminous mix. (State Funds)

Jewell/McPherson/Geary—106 K-5073-01—Three locations, 0.7 mile north of U.S. 36 and K-14 in Jewell County, 7.3 miles east of I-135 in McPherson County and 5.0 miles north of I-70 and U.S. 77 in Geary County, paint block disposal. (State Funds)

Marion—15-57 K-4815-01—K-15, from the east junction of U.S. 56, north to the Marion-Dickinson county line, 17.0 miles, overlay. (State Funds)

Marion—56-57 M-1702-01—U.S. 56, 1 mile north of Lincolnvill, stockpile bituminous mix. (State Funds)

Marion—56-57 M-1703-01—U.S. 56, 1 mile south of Lehigh, stockpile bituminous mix. (State Funds)

Marion/Chase—106 K-4977-01—U.S. 50, from the east city limits of Peabody northeast to the west city limits of Florence in Marion County and from 0.7 mile east of the east city limits of Florence east to the junction of K-150 in Chase County, 26.5 miles, slurry seal. (State Funds)

Marion/Dickinson—106 K-4978-01—U.S. 56, from the north city limits of Lincolnvill in Marion County north to the north junction of U.S. 77 in Dickinson County and U.S. 56B from the south junction of U.S. 56 north to the south city limits of Herington in Dickinson County, 13.4 miles, recycling. (State Funds)

McPherson—81-59 K-4222-01—U.S. 81, McPherson Street to Swenson Street in Lindsborg, 0.8 mile, pavement reconstruction. (State Funds)

Republic—79 C-2936-01—County road, 3.7 miles north and 2.5 miles east of Cuba, grading and bridge. (Federal Funds)

Saline—70-85 K-5019-01—Replacement of one light tower at the southwest quadrant of I-70 and I-135, lighting. (State Funds)

Saline—85 U-1416-01—The intersection of Prescott and Santa Fe in Salina, traffic signal. (Federal Funds)

Washington—36-101 K-4037-01—U.S. 36, from the junction of K-22 east to the west junction of K-15, 6.7 miles, grading, bridge and surfacing. (State Funds)

Washington—36-101 K-4044-01—U.S. 36, from the Republic-Washington county line east to K-22, 4.0 miles, grading, bridge and surfacing. (State Funds)

Washington—36-101 K-3329-01—U.S. 36, from the west junction of K-15 east to the west city limits of Washington, 5.8 miles, grading and bridge. (Federal Funds)

District Three—Northwest

Phillips—C-2783-01—County road, 0.5 mile south of Prairie View, then north, 0.2 mile, grading, bridge and surfacing. (Federal Funds)

District Four—Southeast

Anderson/Franklin/Miami—169-106 K-4985-01—U.S. 169, from the north junction of U.S. 59 in Anderson County northeast through Franklin County to 0.3 mile south of the south junction of K-7 in Miami County, 22.2 miles, recycling. (State Funds)

Cherokee—7-11 K-4625-03—K-7, 4.0 miles north of Columbus then north approximately 1.0 mile, grouting mine voids. (State Funds)

Cherokee—160-11 K-3303-02—U.S. 160, 0.6 mile west of the Labette-Cherokee county line east to the junction of U.S. 69 and K-57, bridge replacement. (Federal Funds)

Miami—169-61 K-4870-01—U.S. 169, 0.1 mile north of the junction of K-68 north to the concrete pavement, 6.3 miles, recycling. (State Funds)

District Five—Southcentral

Barber—4 C-2925-01—County road, 7.0 miles north and 4.5 miles east of Medicine Lodge, 0.2 mile, grading and bridge. (Federal Funds)

Sedgwick—87 K-5020-01—Replace light tower at the northeast quadrant of U.S. 54 and Grove Street in Wichita, lighting. (State Funds)

Sedgwick—87 U-1411-01—K-42 at Pawnee Street and West Road in Wichita, traffic signal. (State Funds)

District Six—Southwest

Meade—60 C-2915-01—County road, 16.5 miles south and 6.5 miles east of Meade, grading and bridge. (Federal Funds)

Proposals will be issued upon request to all prospective bidders who have been prequalified by the Kansas Department of Transportation on the basis of financial condition, available construction equipment, and experience. Also, a statement of unearned contracts (Form No. 284) must be filed. There will be no discrimination against anyone because of race, age, religion, color, sex, handicap, or national origin in the award of contracts.

Each bidder shall file a sworn statement executed by or on behalf of the person, firm, association or corporation submitting the bid, certifying that such person, firm, association or corporation has not, either directly or indirectly, entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free competitive bidding in connection with the submitted bid. This sworn statement shall be in the form of an affidavit executed and sworn to by the bidder before a person who is authorized by the laws of the state to administer oaths. The required form of the affidavit will be provided by the state to each prospective bidder. Failure to submit the sworn statement as part of the bid approval package will make the bid nonresponsive and not eligible for award consideration.

Plans and specifications for the projects may be examined at the office of the respective county clerk or at the KDOT district office responsible for the work.

Michael L. Johnston
Secretary of Transportation

(Published in the Kansas Register, December 24, 1992.)

(Published in the Kansas Register, December 24, 1992.)

**Notice of
Partial Call for Redemption
Kansas Municipal Energy Agency
Electric Interconnection Project
Revenue Bonds 1981 Series A
(Interconnection Project No. 1)
Cusip #485267AM0**

To the Bondholders of the 10% Bonds, Due 1/1/96

Notice is hereby given that pursuant to the sinking fund terms of Section 304 of Resolution 17, the Kansas Municipal Energy Agency has called for redemption \$925,000 par of the above mentioned bonds on January 1, 1993, at 100 percent of their principal amount thereof together with accrued interest thereon to January 1, 1993. The serial numbers of the bonds to be redeemed are as follows:

Bearer Bonds

(To be redeemed in full at \$5,000 each)

625 645 745 747 749 750 755 766 771 772 774 786 789 791 792 794
800 801 803 807 813 814 815 825 828 833 834 839 840 844 854 855
858 859 865 867 868 872 876 877 880 887 896 897 899 905 906 912
915 917 920 921 923 927 930 931 937 952 956 959 963 965 967 970
972 973 978 980 981 982 995 1001 1011 1013 1016 1017 1019 1020 1023
1025 1030 1033 1034 1039 1052 1053 1101 1104 1105 1107 1108 1109
1115 1119 1121 1129 1131 1133 1135 1137 1147 1152 1157 1162 1167
1177 1179 1180 1183 1188 1194 1196 1197

Registered Bonds

(To be redeemed in whole or part as indicated)

R3	5,000	R6	5,000	R18	5,000
R34	5,000	R66	15,000	R78	5,000
R79	5,000	R80	5,000	R90	5,000
R92	5,000	R95	10,000	R97	5,000
R98	55,000	R99	20,000	R100	40,000
R101	35,000	R102	10,000	R104	5,000
R111	5,000	R114	5,000	R115	5,000
R120	5,000	R121	40,000	R122	10,000
R127	5,000	R130	20,000	R133	15,000
R134	10,000				

Payment of bonds to be redeemed will be made at the principal office of BANK IV Kansas, National Association, upon presentation and surrender of said bonds, together with all coupons, if any, appertaining thereto maturing on or after the redemption date. From and after January 1, 1993, interest on the bonds so called for redemption will cease to accrue.

Bonds should be surrendered at BANK IV Kansas, National Association, Corporate Trust Operations, P. O. Box 48850 or 100 N. Broadway, 3rd Floor, Exchange Place, Wichita, KS 67201.

Tax identification form W-9 or an exemption certificate is required or tax will be withheld from payment.

Dated December 14, 1992.

BANK IV Kansas, National Association

Doc. No. 012892

**Summary Notice of Bond Sale
Lyon County, Kansas
\$6,160,000**

**General Obligation Sales Tax Bonds, Series 1993
(general obligation bonds payable from
unlimited ad valorem taxes)**

Sealed Bids

Subject to the notice of bond sale dated December 17, 1992, and preliminary official statement dated December 17, 1992, sealed bids will be received by the county clerk of Lyon County, Kansas (the issuer), on behalf of the governing body at the County Courthouse, 402 Commercial, Emporia, KS 66801, until 10 a.m. C.S.T. on January 7, 1993, for the purchase of \$6,160,000 principal amount of General Obligation Sales Tax Bonds, Series 1993. No bid of less than the entire par value of the bonds and accrued interest thereon to the date of delivery will be considered.

Bond Details

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof. The bonds will be dated January 1, 1993, and will become due semiannually on December 1 and June 1 in the years as follows:

Date	Principal Amount
12/1/93	\$420,000
06/1/94	\$425,000
12/1/94	\$435,000
06/1/95	\$440,000
12/1/95	\$450,000
06/1/96	\$460,000
12/1/96	\$470,000
06/1/97	\$480,000
12/1/97	\$490,000
06/1/98	\$505,000
12/1/98	\$515,000
06/1/99	\$530,000
12/1/99	\$540,000

The bonds will bear interest from the date thereof at rates to be determined when the bonds are sold as hereinafter provided, which interest will be payable semiannually on December 1 and June 1 in each year, beginning on June 1, 1993.

Paying Agent and Bond Registrar

Kansas State Treasurer, Topeka, Kansas.

Good Faith Deposit

Each bid shall be accompanied by a cashier's or certified check drawn on a bank located in the United States of America in the amount of \$123,200 (2 percent of the principal amount of the bonds).

Delivery

The issuer will pay for printing the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or before January 28, 1993, at such bank or trust company

in the contiguous United States of America as may be specified by the successful bidder.

Assessed Valuation and Indebtedness

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 1991 is \$148,370,644. The total general obligation indebtedness of the issuer as of the date of the bonds, including the bonds being sold, is \$8,475,000.

Approval of Bonds

The bonds will be sold subject to the legal opinion of Gilmore & Bell, a Professional Corporation, Wichita, Kansas, bond counsel, whose approving legal opinion as to the validity of the bonds will be furnished and paid for by the issuer, printed on the bonds and delivered to the successful bidder as and when the bonds are delivered.

Additional Information

Additional information regarding the bonds may be obtained from the county clerk, (316) 342-4950, or from the financial advisor, Edward D. Jones & Co., St. Louis, Missouri, Attention: Brian D. Coyman, (314) 851-3787.

Dated December 17, 1992.

Lyon County, Kansas

Doc. No. 012893

(Published in the Kansas Register, December 24, 1992.)

Summary Notice of Bond Sale

City of Buhler, Kansas

\$500,000

General Obligation Bonds, Series 1993

(general obligation bonds payable from unlimited ad valorem taxes)

Sealed Bids

Subject to the notice of bond sale dated January 1, 1993, and preliminary official statement dated January 1, 1993, sealed bids will be received by the city clerk of Buhler, Kansas (the issuer), on behalf of the governing body at City Hall, 219 N. Main, Buhler, KS 67522, until 7 p.m. C.S.T. on January 12, 1993, for the purchase of \$500,000 principal amount of General Obligation Bonds, Series 1993. No bid of less than the entire par value of the bonds and accrued interest thereon to the date of delivery will be considered.

Bond Details

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof. The bonds will be dated February 1, 1993, and will become due on October 1 in the years as follows:

Year	Principal Amount
1994	\$20,000
1995	20,000
1996	20,000
1997	25,000
1998	25,000
1999	25,000
2000	30,000

2001	30,000
2002	30,000
2003	35,000
2004	35,000
2005	35,000
2006	40,000
2007	40,000
2008	45,000
2009	45,000

The bonds will bear interest from the date thereof at rates to be determined when the bonds are sold as hereinafter provided, which interest will be payable semiannually on October 1 and April 1 in each year, beginning on October 1, 1993.

Paying Agent and Bond Registrar

Kansas State Treasurer, Topeka, Kansas.

Good Faith Deposit

Each bid shall be accompanied by a cashier's or certified check drawn on a bank located in the United States of America in the amount of \$10,000 (2 percent of the principal amount of the bonds).

Delivery

The issuer will pay for printing the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or before February 16, 1993, at such bank or trust company in the state of Kansas or Kansas City, Missouri, as may be specified by the successful bidder.

Assessed Valuation and Indebtedness

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 1992 is \$4,698,350. The total general obligation indebtedness of the issuer as of the date of the bonds, including the bonds being sold, is \$539,000.

Approval of Bonds

The bonds will be sold subject to the legal opinion of Gilmore & Bell, a Professional Corporation, Wichita, Kansas, bond counsel, whose approving legal opinion as to the validity of the bonds will be furnished and paid for by the issuer, printed on the bonds and delivered to the successful bidder as and when the bonds are delivered.

Additional Information

Additional information regarding the bonds may be obtained from the city clerk, (316) 543-2253, or from the financial advisor, George K. Baum & Company, One Main Place, Suite 810, Wichita, KS 67202, Attention: Charles M. Bouilly, (316) 264-9351.

Dated January 1, 1993.

City of Buhler, Kansas

Doc. No. 012885

State of Kansas

Secretary of State

Notice of Corporations Forfeited

In accordance with K.S.A. 17-7510, the articles of incorporation of the following corporations organized under the laws of Kansas and the authority of the following foreign corporations authorized to do business in Kansas were forfeited October 15, 1992, for failure to timely file an annual report and pay the annual franchise tax as required by the Kansas general corporation code:

Domestic Corporations

Accounting and Bookkeeping Services, Inc.,
Newton, KS.
Action Construction Co., Inc., Topeka, KS.
Agrex, Inc., Overland Park, KS.
Ampac, Inc., Derby, KS.
Annan Marketing Services, Inc., Overland Park, KS.
Archetype Marketing, Inc., Lawrence, KS.
Associated Finance, Inc., Wichita, KS.
Associate Management Corp. Inc., Topeka, KS.
B & B General Contractors, Inc., Wichita, KS.
B & G Mobile Home Parts, Inc., Berryton, KS.
B and K Contracting, Inc., Bonner Springs, KS.
Big Sky Marketing, Inc., Lenexa, KS.
Brass Bell Realty, Inc., Wichita, KS.
Brauner Building Services, Inc., Topeka, KS.
Bride's Image & Formal Gallery, Inc.,
Hutchinson, KS.
Brull Distributing Co., South Hutchinson, KS.
Bull Oil, Inc., Calgary, Canada.
C & S Ready Mix Co., Inc., Olathe, KS.
C and C Transportation, Inc., Kansas City, KS.
Central Family Financial Corporation, Newton, KS.
Chambers Land Company, Inc., Olathe, KS.
Cheney Machine, Inc., Haven, KS.
Classic Color Studio, Inc., Robinson, KS.
Classic Construction, Inc., Phoenix, AZ.
Columbian Medical Marketing Corporation,
Topeka, KS.
Comprehensive Health for Women, P.A.,
New York, NY.
Computer Supply Source, Inc., Lawrence, KS.
Cranston Enterprises, Inc., Colby, KS.
D & E Service Co., Inc., McPherson, KS.
D & W Well Service, Inc., Cambridge, KS.
Dean Carpenter Construction Co., Spring Hill, KS.
Delta Dynamics, Inc., Overland Park, KS.
Display Solutions Inc., Chanute, KS.
Don Carter Industrial Coatings, Inc., Wichita, KS.
Fairgrounds Pari-Mutuel Racing Association,
Hutchinson, KS.
Fox Hill Decor, Inc., Kansas City, MO.
G & F Oil, Incorporated, Everest, KS.
H & H Electronics, Inc., Olathe, KS.
H B S & Associates, Inc., Wichita, KS.
Hatcher Distributing Co., Inc., Wichita, KS.
Hawks Interstate of South Central Kansas, Inc.,
Winfield, KS.
Hillview Health Center, Inc., Topeka, KS.

Homac, Inc., Overland Park, KS.
Horton Oil Company, Inc., Independence, MO.
Interstate Contractors, Inc., Kansas City, MO.
Jamison Flying Service, Inc., Oakley, KS.
Jeffries Enterprises, Inc., Shawnee Mission, KS.
Johnson Development Co., Inc., Shawnee, KS.
Keegan Flatwork, Inc., Stilwell, KS.
Kingsbury Petroleum Corp., Wichita, KS.
Kubin Aerial, Inc., Moscow, KS.
L & M Automotive, Inc., Salina, KS.
L.H.L., Inc., Wichita, KS.
Lindsey Technologies, Inc., Prairie Village, KS.
LSK, Inc., McPherson, KS.
Magic Visions, Incorporated, Lawrence, KS.
Mark Thoeny, Inc., Leawood, KS.
Martin City Ready Mix, Inc., Olathe, KS.
Maxfield Simon Diehl Architects, Inc.,
Overland Park, KS.
McDowell Sales, Inc., Mission, KS.
Melvin Rhine Farms, Inc., Haddam, KS.
Midwestern Marketing of Kansas, Inc.,
Lawrence, KS.
National Auto Brokers, Inc., Wichita, KS.
Odell-Jameson Developers, Inc., Olathe, KS.
Omni Consultants, Inc., Lenexa, KS.
Par-Four, Inc., Oswego, KS.
Pickerell Baird Crownover Inc., Wichita, KS.
Pittsburg Ice Cream Company, Incorporated,
Pittsburg, KS.
Pollution Reduction Center Inc., Hutchinson, KS.
R. A. Fulmer Co., Inc., Topeka, KS.
Raynora Dairy Farms, Ltd., Iuka, KS.
Revolution, Incorporated, Wichita, KS.
Santa Fe Ready-Mix, Inc., Olathe, KS.
Simpsons, Inc., Augusta, KS.
Skate Junction, Inc., Junction City, KS.
SS Corporation, Mission, KS.
Steinle Drugs, Inc., Olathe, KS.
Sun-Moor, Inc., Olathe, KS.
Tanco Specialty Contractors, Inc., Kansas City, MO.
TB's Mail Processing, Inc., Topeka, KS.
The Ark, Inc., Overland Park, KS.
The Empire Co., Inc., Olathe, KS.
The Winner's Circle, Inc., Kansas City, KS.
Triple M/Q Inc., Chanute, KS.
Village Lawn and Garden, Inc., Prairie Village, KS.
White Knuckle Airways, Inc., Shawnee Mission, KS.
Woody's Restaurant & Hard Rock Lounge, Inc.,
Neosho Falls, KS.

Foreign Corporations

A.S.J. Support Services, Inc., Melbourne, FL.
Aero Transportation Products, Inc.,
Independence, MO.
American Life Pension Health Associates
Corporation, Baton Rouge, LA.
Associated Pool Builders, Inc., Bismark, ND.
Behrmann Company, St. Louis, MO.
Bill's Electric, Inc., (A Missouri Corporation),
Webb City, MO.
Borel Watch Company, Shawnee Mission, KS.
Botsford Ready Mix Sales L.P., Reston, VA.

Bristye, Inc., Mexico, MO.
 Centennial Lumber and Home Center, Inc.,
 Fort Collins, CO.
 City Expressions Unlimited, Inc., Kansas City, MO.
 Columbia Management Corporation, Leawood, KS.
 Consolidated Storage, Inc., Hurst, TX.
 Creative Systems, Inc., Waterloo, IA.
 Delaware General Inc. (DGI), Sedan, KS.
 Diversey Corp., Livonia, MI.
 Dublin Petroleum Corp., Enid, OK.
 Francis Energy, Inc., Greeley, CO.
 Garber & Work, Inc., Lincoln, NE.
 Global Construction, Inc., Tarpon Springs, FL.
 Jera, Inc., Kansas City, MO.
 K-M Underground, Inc., Kansas City, MO.
 Kavanaugh Securities, Inc., Dallas, TX.
 Lenexa Iron & Coal Company, Lakewood, CO.
 Lionmark, Inc., St. Louis, MO.
 Marubeni International Petroleum Co. (U.S.A.),
 Limited, New York, NY.
 McCreery Enterprises, Inc., Turon, KS.
 Medical Arts Laboratory, Inc., Oklahoma City, OK.
 Mid South Fire Protection, Inc., Shreveport, LA.
 Mitel, Inc., Boca Raton, FL.
 Mo-Kan Concrete Co., Inc., Olathe, KS.
 MPC Equipment Co., L.P., Reston, VA.
 New Efco, Inc., Des Moines, IA.
 Opus North Corporation, Rosemont, IL.
 Pandrol Jackson Inc., Ludington, MI.
 Photo & Sound Company, San Francisco, CA.
 Pioneer-Standard Electronics, Inc., Cleveland, OH.
 Precision Visuals, Inc., Boulder, CO.
 R.L. Dillon & Associates, Inc., Spencer, IA.
 Raelin Enterprises, Inc., Houston, TX.
 Sheppard Supply Co., Springfield, MO.
 Soderstrom Energy Corporation, Dallas, TX.
 Southern Engineering Company, Atlanta, GA.
 Southwestern Roofing & Sheet Metal, Inc.,
 Oklahoma City, OK.
 Swings and Things, Inc., Roeland Park, KS.
 The Kansas City Metropolitan Lutheran Ministry,
 Kansas City, MO.
 The William Bayley Company, Springfield, OH.
 Transtechnology Corporation, Sherman Oaks, CA.
 W-B Supply Co., Pampa, TX.
 Walker Oil Co., Inc., Lenexa, KS.
 White-Sage, Inc., Fayetteville, AR.

Bill Graves
 Secretary of State

Doc. No. 012856

State of Kansas

Kansas Water Office

Notice of Hearing

The Kansas Water Office has scheduled a public hearing for 9 a.m. Thursday, January 21, in Room 108 of the Landon State Office Building, 900 S.W. Jackson, Topeka, to receive comments on the revisions to the rules and regulations dealing with the Water Marketing Program. These changes are necessary because of the creation of the first assurance district and the creation of the new Water Marketing Fund.

Those attending the hearing may make comments in writing or orally. A copy of the proposed rules and regulations may be obtained by contacting the Kansas Water Office, 109 S.W. 9th, Suite 300, Topeka 66612-1249, (913) 296-0863.

Stephen A. Hurst
 Director

Doc. No. 012845

State of Kansas

Kansas Insurance Department

Permanent Administrative
 Regulations

Article 3.—FIRE AND CASUALTY INSURANCE

40-3-47. Fire and casualty insurance; rating organizations; filing of final rates prohibited; kinds of insurance affected. (a) On and after the respective dates specified herein, rating organizations shall develop and file only prospective loss costs for the kinds of insurance, coverages or situations identified or described in subsections (1) through (5) of this section.

(1) July 1, 1991, multiple line, indivisible premium residential policies and endorsement forms comprising what is commonly identified as the homeowners policy program.

(2) June 1, 1991, automobile insurance on privately owned or leased private passenger automobiles and other motor vehicles provided under what is commonly known as a personal automobile policy.

(3) June 1, 1991, multiple line, indivisible premium commercial policies comprising what is commonly identified as the businessowners program.

(4) March 1, 1993, all other fire, marine and inland marine insurance and allied lines of insurance to which K.S.A. 40-925 et seq. applies, except rates, rules and forms filed by the following rating organizations:

- (A) Factory Mutual Service Bureau;
- (B) Midwest Rating and Service Bureau, Inc.;
- (C) Mill and Elevator Rating Bureau; and
- (D) National Crop Insurance Services, Inc.

(5) March 1, 1993, all other casualty insurance, including fidelity, surety and guarantee bonds to which K.S.A. 40-1111 et seq. applies, except rates, rules and forms filed by the national council on compensation insurance.

(b) With respect to the filing of prospective loss costs and supplementary rating information by rating or-

(continued)

ganizations and insurers respectively, the procedures referenced in K.A.R. 40-3-46(b) shall apply. (Authorized by K.S.A. 40-103 and K.S.A. 1991 Supp. 40-928a and 40-1113c; implementing K.S.A. 1991 Supp. 40-928a and 40-1113c; effective May 6, 1991; amended Feb. 8, 1993.)

Article 4.—ACCIDENT AND HEALTH INSURANCE

40-4-37d. Long-term care insurance; benefits; medical condition; activities of daily living; definitions; requirements. (a) A long-term care policy may require a recommendation by a physician that the services are necessary due to illness, injury or infirmity, but shall not condition such benefits on medical necessity.

(b)(1) In addition to or in lieu of a recommendation by a physician as described in section (a) of this regulation, group long-term care insurance policies covering employees, dependents and retirees of a single employer may include provisions which condition the payment of benefits on an assessment of the insured's ability to perform activities of daily living or cognitive impairment.

(2) As used in this section, activities of daily living consist of the following defined activities and performance criteria:

(A) "Bathing" is a person's ability to get into and out of the tub or shower, turn on the water, get the soap or other cleansing product, and bathe the entire body including back and feet. A person is dependent if he or she cannot bathe in a bathtub or shower without the assistance of another person or is able to participate only minimally, such as washing face and hands only.

(B) "Dressing" is a person's ability to get clothes from closets or drawers and put them on or take them off, including undergarments and outer-garments, as well as fasteners and braces, if worn. Dressing includes the ability to fasten one's shoes. A person is dependent if he or she can dress only with the assistance of another person or is able to participate only minimally, such as putting on outer garments only.

(C) "Eating" is a person's ability to bring food to his or her mouth or hold a glass to the mouth, and chew and swallow food. A person is dependent if he or she is fed by hand, is being fed intravenously or through a feeding tube, is unable to bring food to his or her mouth or is unable to chew and swallow the food.

(D) "Maintaining continence" is a person's ability to maintain control of urination or bowel movement. A person is dependent if he or she loses bladder control three times per week or more, loses bowel control two times per week or more, or needs assistance in maintaining his or her catheter or colostomy bag.

(E) "Toileting" is a person's ability to get to and from the toilet, onto and off of the toilet, clean oneself after elimination, and adjust his or her clothes after toileting. A person is dependent if he or she needs help with one or more of the tasks specified above, maintaining balance, or caring for his or her catheter or colostomy bag.

(F) "Transferring from bed to chair" is a person's ability to get into or out of bed or a chair. A person

is dependent if he or she is unable to get into or out of bed or a chair without human assistance.

(G) "Mobility" is a person's ability to walk or move from one place to another. A person is dependent if he or she requires assistance or supervision from another person to safely walk or if he or she needs to be wheeled from one place to another.

(3) "Cognitive impairment" means a deficiency in the ability to think, perceive, reason, remember or otherwise routinely display an ability to take care of oneself without the ongoing assistance of or supervision by another person.

(4) Any determination of impairment shall not be more restrictive than requiring either a deficiency in the ability to perform three of the activities of daily living or the presence of cognitive impairment.

(5) Assessments of activities of daily living and cognitive impairment shall be performed by properly credentialed, experienced, trained professionals, such as physicians, registered nurses or licensed specialist social workers.

(6) Group long-term care insurance policies which condition the payment of benefits on an assessment of the insured's ability to perform activities of daily living or cognitive impairment shall include a clear and understandable description of the method for resolving insured grievances. (Authorized by K.S.A. 40-103, K.S.A. 1991 Supp. 40-2228; implementing K.S.A. 1991 Supp. 40-2228; effective, T-40-9-25-92, Sept. 25, 1992; effective Feb. 8, 1993.)

Article 7.—AGENTS

40-7-7. Agents; procedure for obtaining licenses and company certification. (a) Licenses.

(1) Each individual desiring to become licensed shall complete and submit an application and evidence of graduation from an accredited four year high school or its equivalent. A copy of the applicant's high school or college diploma, a transcript certified by school authorities or a certificate of completion of the general education development test (GED) by the applicant shall be acceptable evidence.

(2) From and after May 1, 1989, the application fee prescribed by K.S.A. 1991 Supp. 40-240a shall accompany the application and other required material.

(3) If the applicant for a resident agent's license has not been licensed and certified as a resident agent in this state during the two years immediately preceding the date of the application, the applicant shall pass an examination covering each class or subclass of insurance the applicant intends to write.

(4) If the applicant has been a licensed agent for the same classes or subclasses of insurance in this or another state for at least 10 years immediately preceding the date of application, the applicant's qualification is based upon an examination comparable to this state's examination, and the applicant has held a non-resident license in this state for at least two years immediately preceding the date of application, the applicant shall pass an examination covering statutory and general insurance subjects only.

(b) Certification.

(1) The company certification shall be completed to show the company name, name and address of the

agent to be certified, the effective date, and the address of the office submitting the certification.

(2) Certification shall be made only by an authorized representative of the insurance company or, from and after May 1, 1989, by an authorized representative of a corporation, association, partnership, proprietorship or other legal entity holding a direct agency appointment from an insurance company.

(3) For purposes of certification, a licensed director, employee or nonresident officer of a resident agency shall be deemed to be a resident agent. (Authorized by K.S.A. 40-103; implementing K.S.A. 1991 Supp. 40-240 and 40-241 and 40-241i, K.S.A. 1991 Supp. 40-252; effective Jan. 1, 1966; amended Jan. 1, 1967; amended Jan. 1, 1970; amended, E-70-28, July 1, 1970; amended Jan. 1, 1971; amended, E-71-24, July 1, 1971; amended Jan. 1, 1972; amended Feb. 15, 1977; amended, E-79-25, Oct. 19, 1978; amended May 1, 1979; amended May 1, 1983; amended May 1, 1986; amended May 1, 1987; amended May 1, 1988; amended May 15, 1989; amended Jan. 4, 1993; amended Feb. 8, 1993.)

40-7-13. Agents; scope, subclassification; type and conduct of examinations; reexamination. (a) The licensing examination for each agent shall test the applicant's knowledge in the following areas:

- (1) The laws of Kansas, including:
 - (A) pertinent provisions of the statutes of Kansas; and
 - (B) rules and regulations of the insurance department;
 - (2) general insurance, including:
 - (A) duties and responsibilities of a licensed agent; and
 - (B) basic insurance knowledge; and
 - (3) the specific classes or subclasses of insurance for which application is made.
- (b) For examination purposes, the classifications and subclassifications of insurance shall be as follows:

Class	Subclass
(1) Life insurance;	
(2) health insurance;	
(3) casualty insurance;	title insurance and bail bonds;
(4) property insurance;	crop insurance.

(c) Persons failing to score at least 70 percent on any examination shall have failed that examination and shall not be qualified for a license for that class or subclass. Notification of the result of each examination shall be provided to the applicant only.

(d) Examinations shall be conducted as follows.

(1) Each applicant shall be advised of eligibility for examination by the commissioner or the commissioner's designee.

(2) The applicant's licensing application shall remain effective for a period of one year from the date received. On and after May 1, 1989, an examination registration shall be effective for a period of 90 days from the date the registration is validated. (Authorized by K.S.A. 40-103, K.S.A. 1991 Supp. 40-241; implementing K.S.A. 1991 Supp. 40-241; effective Jan. 1, 1966; amended Jan. 1, 1968; amended Jan. 1, 1969; amended Jan. 1, 1970; amended, E-70-28, July 1, 1970; amended Jan. 1, 1971; amended, E-71-24, July 1, 1971; amended Jan. 1, 1972; amended Jan. 1, 1973; amended Jan. 1,

1974; amended, E-78-24, Sept. 7, 1977; amended May 1, 1978; amended May 1, 1979; amended May 1, 1981; amended May 1, 1982; amended May 1, 1985; amended May 1, 1986; amended May 1, 1987; amended Dec. 26, 1988; amended May 15, 1989; amended Feb. 8, 1993.)

40-7-20a. Agents; brokers; continuing education; approval of courses; requirements. (a) Definitions. For the purposes of this regulation:

(1) "Coordinator" means an individual who is responsible for monitoring continuing education offerings;

(2) "correspondence courses" means courses that are primarily delivered or conducted in other than a classroom setting or with on-site instruction and are designed to be completed independently by the student;

(3) "course" means a series of lectures or lessons dealing with a particular subject following a prearranged agenda or study plan and may culminate in a written examination;

(4) "instructor" means an individual lecturing in a continuing education offering;

(5) "licensee," "licensed agent" or "agent" means a natural person licensed by this state as an agent or broker;

(6) "person" means a natural person, firm, institution, partnership, corporation or association; and

(7) "sponsor," or "sponsoring organization" means a person or firm offering or providing insurance education.

(b) General requirements.

(1) Only courses which impart substantive and procedural knowledge relating to insurance and are beneficial to the insuring public subsequent to initial licensing shall be approved for credit. Approved courses shall be classified as life, health and variable contracts courses, property and casualty courses or general courses. Credit earned from general courses are acceptable in meeting the requirements for any single license classification.

(2) Courses of the following types do not meet the basic criteria for approvable courses described in paragraph (1) of this section:

(A) Courses designed to prepare students for a license examination;

(B) courses in mechanical office or business skills, including typing, speed reading or use of calculators or other machines or equipment;

(C) courses in sales promotion, including meetings held in conjunction with the general business of the licensee;

(D) courses related to office management or intended to improve the operation of the licensee's business, not leading to a recognized professional insurance designation or enhancing the licensee's ability to serve the public; and

(E) courses which are primarily intended to impart knowledge of specific products of specific companies if the courses relate to the sales promotion or marketing of one or more of the products discussed.

(3)(A) Courses must be attended in their entirety in order for a licensee to receive full credit. Proportional credit may be given for partial attendance at a course.

(continued)

(B) Upon completion of approved courses, students shall receive credit for the number of hours approved for the course which will generally be equivalent to one hour of credit for each hour of instruction.

(C) If the number of credit hours for which a course is approved is fewer than the total number of hours of the course presentation, the student must attend the entire course in order to receive credit for the number of approved hours.

(D) The number of approved hours will not include time spent on introductions, breaks, or other activities not directly related to approved educational information or material.

(E) Neither students nor instructors may earn full credit for attending or instructing at any subsequent offering of the same course for three years after attending or teaching such course.

(4) Course examinations will not be required for approval of continuing education courses except correspondence courses.

(5) Sponsors shall submit proposed courses to the commissioner for pre-approval at least 30 days prior to the date on which the course is to be held, except as provided in K.S.A. 1991 Supp. 40-240f(f)(6).

(6) Advertisements shall not state or imply that a course has been approved by the commissioner unless written confirmation of such approval has been received by the sponsor.

(7) If approval has been granted for the initial offering of a course, approval for subsequent offerings not disclosed in the initial submission may be granted by providing written notification to the commissioner at least 30 days in advance of the date the program is to be held indicating that no change has been made in the course and specifying the additional times and places the course will be presented.

(8) All fees required for individual course approval shall be submitted with the course submission. If the sponsor elects to pay the prescribed fee for all courses, the fee shall be paid annually and shall be submitted with the first course submission each year. Subsequent course submissions should include documentation of prior fee payment.

(9) Each course of study, except correspondence courses, shall be conducted in a classroom or other facility which is adequate to comfortably accommodate the faculty and the number of students enrolled. The sponsor may limit the number of students enrolled in a course.

(10)(A) Each course leading to a nationally or regionally recognized designation shall receive credit as approved by the commissioner. A listing of all courses approved as nationally or regionally recognized insurance education programs or otherwise including approved credit hours shall be available to the public upon request.

(B) Any agent attending at least 80 but less than 100 percent of regularly scheduled classroom sessions for any single course may receive 50 percent of the educational credit received by those agents who attend all sessions and satisfactorily complete the course. Such credit may be earned to the extent that adequate records are maintained and appropriate certification of such attendance is provided by the course instructor.

(11)(A) The amount of credit received by an agent for a correspondence course shall be based upon successful completion of the course and an independently monitored examination subject to the number of hours assigned by the commissioner.

(B) Examination monitors shall not be affiliated in any way with the sponsoring organization or the licensee and shall be subject to approval by the commissioner. Any examinations utilized or to be utilized shall be included in the material submitted for course approval. No examination will be approved unless the commissioner is satisfied that security procedures protecting the integrity of the examination can be maintained. If security is compromised, no credit will be granted.

(C) Any sponsor of correspondence courses shall clearly disclose to any agent wishing to receive credit in Kansas the number of hours for which that particular course has been approved by the commissioner.

(c) Any licensee found to have falsified a continuing education report to the commissioner shall be subject to suspension or revocation of his or her insurance license in accordance with K.S.A. 40-246, or a penalty as prescribed in K.S.A. 40-254, or both.

(d) Course requirements.

(1) Each course of study shall have a coordinator, who is responsible for supervising the course and assuring compliance with the statutes and regulations governing the offering of insurance continuing education courses.

(2)(A) As required by K.S.A. 1991 Supp. 40-240f(f)(5), sponsoring organizations shall maintain accurate records relating to course offerings, instructors and student attendance. If the coordinator leaves the employ of the sponsor or otherwise ceases to monitor continuing education offerings, the records shall be transferred to the replacement coordinator or an officer of the sponsor. If a sponsor ceases operations, the coordinator shall be responsible for maintaining the records or providing a custodian of the records acceptable to the commissioner. In order to be acceptable, custodians shall agree to make copies of student records available to students free of charge or at a reasonable fee. Under no circumstances shall the commissioner act as custodian of the records.

(B) Each sponsor shall provide students with course completion certificates, on a form prescribed or approved by the commissioner, within 30 days of completion of the course. A sponsor may require payment of the course tuition as a condition for receiving the course completion certificate.

(3) Each instructor shall possess at least one of the following qualifications:

(A) Three years of recent experience in the subject area being taught;

(B) a college degree related to the subject area being taught;

(C) two years of recent experience in the subject area being taught and 60 classroom hours of acceptable course work in the subject area being taught; or

(D) an appropriate professional designation in the area being taught.

(4) Instructors shall:

(A) Comply with all laws and rules pertaining to insurance continuing education;

(B) provide students with current and accurate information;

(C) maintain an atmosphere conducive to learning in a classroom; and

(D) provide assistance to the students and respond to questions relating to course material.

(5) Each sponsor, coordinator and instructor shall notify the commissioner within 10 days after the occurrence of any of the following:

(A) A felony or misdemeanor conviction or disciplinary action taken against an insurance or other occupational license held by the coordinator or instructor; and

(B) any change of information contained in an application for course approval.

(e) Licensee reporting requirement.

(1) Continuing education credit shall be reported by the licensee on forms and in a manner prescribed by the commissioner. All courses shall be completed or attended during the two year period for which the credit hours are to be applied.

(2) Requests for an extension permitted by K.S.A. 1991 Supp. 40-240f(e)(6) shall be submitted in writing no later than March 1 of the year due and shall include an explanation and independent verification of the hardship. (Authorized by K.S.A. 40-103; implementing K.S.A. 1991 Supp. 40-240f; effective May 15, 1989; amended, T-40-8-28-90, Aug. 30, 1990; amended Oct. 15, 1990; amended Feb. 8, 1993.)

Article 8.—EXCESS COVERAGE

40-8-7. Excess lines insurance; agents; submission of affidavit required. (a) The excess lines agent who actually places business with a non-admitted insurer shall file the affidavit and annual statement reporting forms prescribed by the commissioner. Other excess lines agents shall file only the affidavit form prescribed by the commissioner. Forms shall be filed with the department, on or before March 1st of each year, for the contracts effected during the preceding calendar year.

(b) The excess lines agent shall include the following information with the affidavit:

(1) A full account of the gross premiums upon all policies written on risks placed between December 31, 1991 and July 1, 1992;

(2) a tax remittance in the amount of 4% of the gross premiums included in the account developed pursuant to subparagraph (1);

(3) a full account of the gross premiums upon all policies written on risks placed on and after July 1, 1992; and

(4) a tax remittance in the amount of 6% of the gross premiums included in the account developed pursuant to subparagraph (3).

(A) "Gross premium" means the amount charged to the insured for the insurance procured. When an audit or gross receipts contract requires a deposit premium, the amount collected during the calendar year either as a deposit or partial payment shall be reported on the affidavit and annual statement reporting forms as gross premium for that calendar year. Gross premium shall not include the tax due on the premium nor shall that tax be charged to the insured unless specifically identified and provided for in the policy.

(B) When a policy is renewed or an adjustment, addition, or reduction is made on a risk previously placed, the appropriate adjusting entry shall be made on the annual statement reporting form.

(c) The commissioner shall collect double the amount of excess premium tax required by K.S.A. 40-246c if the excess lines agent fails to submit a statement and pay the premium tax as required by subsections (a) and (b) of this regulation. This subsection shall not apply:

(1) If the required statement and excess premium tax payment is submitted by mail on or before the 1st day of March of each year;

(2) if the required statement and the excess premium tax payment is received by the commissioner before the 1st day of January of each year and the statement and premium include all transactions of the excess coverage licensee during the year;

(3) if the required statement and excess premium tax payment is not received by the commissioner because no transactions contemplated by the statute occurred during the preceding year. (Authorized by K.S.A. 40-103; implementing K.S.A. 40-246b, 40-246c, as amended by 1992 HB 3169, Sec. 3; effective Jan. 1, 1966; amended Jan. 1, 1968; amended Jan. 1, 1970; amended Jan. 1, 1971; amended, E-76-29, June 19, 1975; amended May 1, 1976; amended May 1, 1979; amended, T-83-22, Aug. 11, 1982; amended May 1, 1983; amended May 1, 1984; amended May 1, 1986; amended May 1, 1987; amended, T-40-10-23-92, Oct. 23, 1992; amended Feb. 8, 1993.)

Article 14.—INSURANCE PREMIUM FINANCE COMPANIES

40-14-10. Same; rates; filing. Each premium finance company shall file with the commissioner of insurance a complete listing of all scheduled interest rates and service charges which the company intends to use in Kansas. Such listing shall be revised and refiled as necessary to continuously reflect current rates and charges. (Authorized by K.S.A. 40-103 and 40-2608; implementing K.S.A. 40-2609; effective, T-40-9-25-92, Sept. 25, 1992; effective Feb. 8, 1993.)

Ron Todd
Commissioner of Insurance

Doc. No. 012875

State of Kansas

The Kansas Lottery

Temporary Administrative
Regulations

Article 2.—LOTTERY RETAILERS

111-2-22. E-Z Shop On-Line Sales Promotion. In addition to compensation specified in K.A.R. 111-2-4 and 111-2-6, the Kansas lottery may also offer the following as bonus incentives to enhance the sale of all on-line tickets: (a) The on-line sales promotion will commence at 6:00 a.m. on November 26, 1992, and end at 11:59:59 p.m. on December 16, 1992.

(b) At the termination of the on-line sales promotion, the retailer with the greatest percentage increase will win a four day vacation cruise to the Bahamas starting January 18, 1992, and ending January 21, 1992, provided by WDAF-AM of Kansas City and the Kansas lottery, and consisting of:

(1) Round trip air fare for two to Miami, Florida, from Kansas City, Missouri, leaving on January 18, 1993, and returning January 21, 1993.

(2) A cruise on the Royal Caribbean's new cruise ship, the "Nordic Empress" from Miami to ports of call at Freeport, Nassau and Coco Bay.

(c) In the event of a percentage tie, a drawing between those included in the tie will be conducted at E-Z Shop headquarters to determine the winner.

(d) The vacation cruise package will be awarded on December 17, 1992. (Authorized by and implementing K.S.A. 1991 Supp. 74-8710; effective, T-111-12-15-92, Dec. 13, 1992.)

Article 4.—INDIVIDUAL GAME RULES

RULES FOR INSTANT GAME NO. 51
"CASINO CASH"

111-4-458. Name of Game. The Kansas Lottery shall conduct an instant winner lottery game entitled "Casino Cash" commencing on January 14, 1993. The specific rules for the "Casino Cash" game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-458 through 111-4-461. (Authorized by and implementing K.S.A. 1991 Supp. 74-8710; effective, T-111-12-15-92, Dec. 13, 1992.)

111-4-459. Definitions. The following definitions shall apply to the "Casino Cash" instant lottery game:

(a) "Game symbols" are the numbers, letters, symbols, or pictures printed in the play area of each instant game ticket and which determine if the ticket bearer is entitled to a prize. In this instant game, the game symbols are printed in black ink in WGI Symbol Font 10 and WCI Cap Font. This game will have four different play styles utilizing one prize structure. Each different play style will be printed on a separate ticket. The order in which the play styles will appear are "Blackjack," "Roulette," "High Card" and "7-11-21," and they will appear in the same sequence with 75 sets of four appearing in each pack of 300 tickets. There are nine play spots for "Blackjack," six for "Roulette," six for "High Card" and 12 for "7-11-21." The game

symbols for these four games include the following: 1 - 2 - 3 - 4 - 5 - 6 - 8 - 9 - 10 - 12 - 13 - 14 - 15 - 16 - 17 - 18 - 19 - 20 - 21 - J - Q - K - A - \$1.⁰⁰ - \$2.⁰⁰ - \$5.⁰⁰ - \$20.⁰⁰ - \$200\$ - 10000.

(b) "Game symbol captions" are the words or portions of words, letters or numbers printed beneath each game symbol in the play area and are used to repeat or explain the game symbol. The game symbol caption associated with each game symbol is as follows:

Game Symbol	Game Symbol Caption
1	ONE
2	TWO
3	THR
4	FOR
5	FIV
6	SIX
8	EGT
9	NIN
10	TEN
12	TWLVE
13	THRTN
14	FORTN
15	FIFTN
16	SIXTN
17	SEVTN
18	EGTN
19	NINTN
20	TWNTY
21	TWONE
J	JACK
Q	QUEN
K	KING
A	ACE
\$1. ⁰⁰	ONE\$
\$2. ⁰⁰	TWO\$
\$5. ⁰⁰	FIVE\$
20. ⁰⁰	TWENTY
\$200\$	TWO-HUN
10000	TEN-THOU

(c) "Ticket validation number" means a unique number appearing on each ticket which is used to validate winning tickets. For this instant game, the ticket validation number is a 10-digit number imaged in WGI Serial Font which appears under the latex covering on the front of each instant ticket.

(d) "Book-ticket number" means the unique number appearing on each ticket which includes the number of the book from which it was removed and the serially assigned number of the ticket within that book. For this instant game, the book-ticket number is an 8-digit book number followed by a dash and then a 3-digit ticket number. The ticket numbers in each book start with 000 and end with 299. The book-ticket number is printed in black ink on the front of each instant game ticket.

(e) "Retailer validation code" means the small letters found under removable covering in the play area of each instant game ticket imaged in WGI Retail Font. The retailer uses this code to verify and validate winners which are to be paid by the retailer. In this instant game, the retailer validation code is a two letter code

printed and appearing in the play area in two locations among the game symbols. The codes and their meanings are as follows: CC = \$1.00; DD = \$2.00; KK = \$5.00; NN = \$20.00. (Authorized by and implementing K.S.A. 1991 Supp. 74-8710; effective, T-111-12-15-92, Dec. 13, 1992.)

111-4-460. Determination of Instant Prize Winners. An instant prize winner is determined for this instant game when the player removes or "scratches off" the removable layer of material covering the play area sections involving each of the following play styles:

(a) "Blackjack" tickets will feature three different chances to win entitled "HAND 1," "HAND 2" and "HAND 3." Each hand will consist of card scores identified as "YOURS" and "DEALER'S" and a "PRIZE" area. If the player's number appearing in "YOURS" is higher than the number appearing in "DEALER'S," the player wins the amount appearing in the "PRIZE" area of that hand.

(b) "Roulette" tickets will reveal the house number entitled "HOUSE #" in the center of the play area above the "PRIZE" area and the player's numbers entitled "YOUR #" appear in four locations surrounding the "HOUSE #" and "PRIZE" area. If any of the player's four numbers match the "HOUSE #" the player wins the amount shown in the "PRIZE" area.

(c) "High Card" is a "beat the dealer" card type game ticket containing one "DEALER'S CARD" in the upper left corner, a "PRIZE" area at the upper right and four playing card designations in the lower "YOUR CARDS" area. If any of the player's "YOUR CARDS" is higher than the "DEALER'S CARD" the player wins the dollar amount shown in the "PRIZE" area.

(d) "7-11-21" is an "add-up" ticket with three different chances to win. Horizontal lines divide the three areas entitled "GAME 1," "GAME 2" and "GAME 3" and the "PRIZE" for each game is at the right side of the play area. If the three numbers for any of the three games add up to exactly "7," "11" or "21," the player wins the dollar amount shown in the "PRIZE" area for that "GAME."

(e) No ticket will be eligible to win more than one prize. The prizes a player may win are as follows:

\$1.00
\$2.00
\$5.00
\$20.00
\$200.00
\$10,000.00

(Authorized by K.S.A. 1991 Supp. 74-8710(b), (c) & (i); implementing K.S.A. 1991 Supp. 74-8710(b), (c) & (i) and 74-8720 (b) & (d); effective, T-111-12-15-92, Dec. 13, 1992.)

111-4-461. Number and Value of Instant Prizes.

(a) There will be approximately 3,000,000 tickets ordered for this instant game. The expected number and value of the instant prizes are as follows:

Prizes	Expected Number of Prizes in Game	Expected Value in Game
\$1	370,000	\$ 370,000
\$2	250,000	500,000
\$5	70,000	350,000
\$20	10,000	200,000
\$200	100	20,000
\$10000	6	60,000
	<u>700,106</u>	<u>\$1,500,000</u>

(b) The executive director may terminate the sale of tickets prior to the complete sale of all tickets. In this event, the number and value of prizes will be approximately proportional to the number of tickets actually sold.

(c) All prizes are subject to deductions provided by law. (Authorized by K.S.A. 1991 Supp. 74-8710(b), (c) & (f); implementing K.S.A. 1991 Supp. 74-8710(b), (c) & (f); and 74-8720; effective, T-111-12-15-92, Dec. 13, 1992.)

Article 6.—ON-LINE GAMES

111-6-6. Drawings and End of Sales Prior to Drawings. (a) Drawings may be conducted in a location and at days and times designated by the executive director. They shall be open to the public and shall be witnessed by a lottery security official and drawing manager.

(b) For each type of on-line game, the executive director shall establish a time prior to the drawing for the end of sales.

(c) The executive director shall designate a lottery security official who shall insure that security standards established by rules and regulations and drawing procedures are met. The designated security official at each drawing shall have final authority on any decisions concerning the drawing at each drawing site.

(d) The executive director shall designate a drawing manager who shall oversee each drawing. The drawing manager shall be responsible for conducting the drawing in compliance with the lottery's drawing procedures. The lottery security official and drawing manager shall attest whether the drawing was conducted in accordance with proper drawing procedures at the end of each drawing.

(e) Should the lottery security official or the drawing manager be unable to attend the drawing, the executive director shall designate a replacement.

(f) The executive director shall designate the type of equipment to be used and shall establish procedures to randomly select the winning combination for each type of on-line game. Drawing procedures shall include provisions for the substitution of backup drawing equipment in the event the primary drawing equipment malfunctions or fails for any reason.

(g) All drawings may be broadcast live on television provided the facilities for such broadcasts are available and operational and can be done at a reasonable cost.

(h) The executive director shall establish procedures governing the conduct of drawings for each type of on-line game. The procedures shall include provisions for deviations which include but are not limited to: (1)

(continued)

malfunction of the drawing equipment before determination of the winning combination; (2) video and/or audio malfunctions during the drawing; (3) fouled drawing; (4) delayed drawing; and (5) other equipment, facility and/or personnel difficulties.

(i) In the event a deviation occurs, the drawing will be completed under lottery supervision. The drawing may be videotaped for later broadcast if broadcast time is available. The winning combination will be provided to the television network for dissemination to the public.

(j) If, during any live-broadcast drawing for a game, a mechanical failure or operator error causes an interruption in the selection of all numbers or symbols, a "foul" shall be called by the lottery security official present. Any number drawn prior to a "foul" being called will stand and be deemed official after passing inspection and certification by the lottery security official present and the drawing manager.

(k) The executive director shall delay payment of all prizes if any evidence exists or there are grounds for suspicion that tampering or fraud has occurred. Payment shall be made after an investigation is completed and the drawing approved by the drawing manager. If the drawing is not approved, it shall be void and another drawing will be conducted to determine the actual winner.

(l) Upon completion of the drawing, the persons designated to officially observe the drawing shall issue a signed report to the executive director. This report shall certify that to the best of their knowledge, the procedures required by these rules were followed in selecting the winner at the drawing. (Authorized by and implementing K.S.A. 1990 Supp. 74-8710; effective, T-89-4, Jan. 21, 1988; amended, T-111-12-28-89, Dec. 21, 1989; amended, T-111-8-2-91, July 16, 1991; amended, T-111-9-20-91, Sept. 20, 1991; amended, T-111-7-1-92, June 26, 1992; amended, T-111-12-15-92, Dec. 13, 1992.)

Ralph Decker
Executive Director

Doc. No. 012872

State of Kansas

Kansas Racing Commission

Temporary Administrative Regulations

Article 4.—OCCUPATION AND CONCESSIONAIRE LICENSES

112-4-1. Occupation licenses. (a) Before engaging in the following occupations at a racetrack facility, each person shall pay the required fee and secure the appropriate license or licenses from the commission:

- (1) Administration;
- (2) administrative support;
- (3) admission/parking attendant;
- (4) announcer;
- (5) apprentice jockey;
- (6) assistant racing secretary;

- (7) assistant starter;
- (8) assistant trainer;
- (9) authorized agent;
- (10) blacksmith/plater/farrier;
- (11) breed registry;
- (12) brakeman;
- (13) chart writer;
- (14) clerk of scales;
- (15) clocker/assistant clocker;
- (16) colors attendant;
- (17) concession employee;
- (18) concession operator;
- (19) director of racing;
- (20) director of security;
- (21) driver;
- (22) exercise person;
- (23) general manager/assistant general manager;
- (24) groom/hot walker;
- (25) horseman's bookkeeper;
- (26) horseman/kennel representative;
- (27) identifier;
- (28) jockey;
- (29) jockey agent;
- (30) jockey guild manager/representative;
- (31) jockey room attendant;
- (32) kennel helper;
- (33) kennel master;
- (34) kennel owner;
- (35) lead out;
- (36) lure operator;
- (37) maintenance;
- (38) medical attendant;
- (39) mutuel employee;
- (40) mutuel manager;
- (41) official;
- (42) outrider;
- (43) owner, horse/greyhound;
- (44) owner/assistant trainer;
- (45) owner/trainer;
- (46) owner/trainer/driver;
- (47) owner by open claim;
- (48) paddock attendant;
- (49) paddock judge;
- (50) patrol judge;
- (51) photo finish operator;
- (52) pony person;
- (53) practicing veterinarian;
- (54) practicing veterinarian technician or assistant;
- (55) program manager;
- (56) promotion manager;
- (57) racing judge;
- (58) racing secretary;
- (59) security;
- (60) selection sheet operator;
- (61) service provider;
- (62) starter;
- (63) steward;
- (64) testing technician;
- (65) timer;
- (66) totalisator employee;
- (67) track superintendent;
- (68) trainer;

- (69) valet;
- (70) video operator; and
- (71) any other personnel designated by the commission.

(b) Each applicant for an occupation license shall apply in writing on the application form approved and furnished by the commission.

(c) Each applicant for an occupation license acting as an employer shall submit proof of compliance with the workers compensation act of the state of Kansas, K.S.A. 44-501 *et seq.*

(d) Each person who is appointed by an owner to act as an authorized agent shall secure an occupation license. Each authorized agent agreement form shall be filed with the commission. Each authorized agent shall perform for the owner only the duties that are subject of the authorized agent agreement form. Each authorized agent shall notify the commission in writing when the authorized agent agreement is terminated.

(e) Each applicant for an occupation license shall not knowingly provide false information on any occupation license application form.

(f) Each applicant for an occupation license shall not fail to disclose any material fact on any occupation license application form.

(g) No person shall alter or attempt to alter any information contained on an occupation license badge.

(h) Each person who loses an occupation license shall immediately:

(1) notify the commission office at the racetrack facility;

(2) secure a duplicate license; and

(3) pay the required fee.

(i) Each required fee shall be paid when the occupation license is issued. Each occupation license issued by the commission shall be valid for the period commencing January 1 and terminating December 31 of the calendar year in which the occupation license is issued.

(j) Any applicant may be required to submit with the application at least two complete sets of fingerprint cards approved by the commission. If the fingerprints are not acceptable for processing, each applicant shall be required to resubmit fingerprint cards.

(k) Each applicant for an occupation license must be at least 16 years old. However, this provision shall not preclude dependent children under the age of 16 from working for a parent or guardian when the parent or guardian is licensed as a kennel owner, trainer or assistant trainer and approval has been obtained from the organization licensee. Each licensed trainer at a horse or greyhound racetrack facility or assistant trainer at a horse racetrack facility shall be at least 18 years of age. Each racing official, security employee and mutuel employee shall be at least 18 years of age.

(l) Each employer at a race track facility shall ensure that every employee is properly licensed and shall immediately notify the commission office at the racetrack facility and the organization licensee when a licensee's employment status changes or when an employee is terminated. Each employer shall make an effort to secure the employee's occupation license and, if the li-

cense is secured, shall deliver the license to the commission office at the racetrack facility. (Authorized by K.S.A. 1991 Supp. 74-8804, as amended by L. 1992, Ch. 27, Sec. 3, and L. 1992, Ch. 286, Sec. 2; implementing K.S.A. 1991 Supp. 74-8804, as amended by L. 1992, Ch. 27, Sec. 3, and L. 1992, Ch. 286, Sec. 2, and 74-8816, as amended by L. 1992, Ch. 286, Sec. 8; effective, T-112-1-19-89, Jan. 19, 1989; effective April 10, 1989; amended, T-112-8-22-89, Aug. 22, 1989; amended Oct. 9, 1989; amended, T-112-12-30-91, Dec. 30, 1991; amended Feb. 24, 1992; amended, T-112-8-13-92, Aug. 13, 1992; amended, T-112-12-10-92, Dec. 10, 1992.)

112-4.5. License identification requirements. (a) Each license applicant shall provide identifying personal information including the following:

(1) Full name;

(2) permanent address, including zip code;

(3) type of license;

(4) date of application; and

(5) date of birth.

(b) Each license shall be color-coded to identify the occupation and the individual's eligibility to enter restricted areas. While present in restricted areas of the racetrack facility, each license holder, except jockeys riding in a race and other licensees approved by the stewards or racing judges, shall attach the current license to an outer garment in a prominent position. (Authorized by K.S.A. 1991 Supp. 74-8804(p), as amended by L. 1992, Ch. 27, Sec. 3, and L. 1992, Ch. 286, Sec. 2; implementing K.S.A. 1991 Supp. 74-8816, as amended by L. 1992, Ch. 286, Sec. 8; effective, T-112-1-19-89, Jan. 19, 1989; effective April 10, 1989; amended, T-112-8-22-89, Aug. 22, 1989; amended Oct. 9, 1989; amended, T-112-8-13-92, Aug. 13, 1992; amended, T-112-12-10-92, Dec. 10, 1992.)

112-4.6. License subject to conditions and agreements. (a) Each license issued to a licensee by the commission shall remain the property of the commission.

(b) Possession of a license shall not confer any right upon the holder to employment at a racetrack facility.

(c) Each licensee shall immediately return the occupation license to the commission office at the racetrack facility when the employment requiring a commission license is terminated. (Authorized by K.S.A. 1991 Supp. 74-8804(p), as amended by L. 1992, Ch. 27, Sec. 3, and L. 1992, Ch. 286, Sec. 2; implementing K.S.A. 1991 Supp. 74-8816, as amended by L. 1992, Ch. 286, Sec. 8; effective, T-112-1-19-89, Jan. 19, 1989; effective April 10, 1989; amended, T-112-1-19-89, Jan. 19, 1989; effective April 10, 1989; amended, T-112-8-13-92, Aug. 13, 1992; amended, T-112-12-10-92, Dec. 10, 1992.)

112-4.8. Examinations. (a) Any applicant for an occupation license may be required to demonstrate knowledge, qualifications and proficiency related to the license for which application is made through an examination approved by the commission or its designee.

(continued)

(b) Unless otherwise authorized by the stewards or racing judges, any unsuccessful license examination applicant may be retested at 30 days following the first failure and six months following the second failure. Applicants failing the examination on the third attempt shall be ineligible for licensure for that license during that calendar year. (Authorized by K.S.A. 1991 Supp. 74-8804(p), as amended by L. 1992, Ch. 27, Sec. 3, and L. 1992, Ch. 286, Sec. 2; implementing K.S.A. 1991 Supp. 74-8816, as amended by L. 1992, Ch. 286, Sec. 8; effective, T-112-1-19-89, Jan. 19, 1989; effective April 10, 1989; amended, T-112-8-22-89, Aug. 22, 1989; amended Oct. 9, 1989; amended, T-112-8-13-92, Aug. 13, 1992; amended, T-112-12-10-92, Dec. 10, 1992.)

112-4-9a. Financial responsibility, licensee. Any commission licensee who purchases food, shelter, medications, transportation, veterinary services, supplies, or like things, for use in the licensee's racing operation and who fails to pay for the services or goods or writes a bad check at a licensed racing facility for one hundred dollars or more shall be guilty of conduct detrimental to the best interests of racing and may be subject to license suspension or revocation. The burden to prove that debts are owed is on the person bringing the charges. This racing regulation does not obligate the commission to collect debts owed by licensees. (Authorized by and implementing K.S.A. 1991 Supp. 74-8804, as amended by L. 1992, Ch. 27, Sec. 3, and L. 1992, Ch. 286, Sec. 2; effective, T-112-8-13-92, Aug. 13, 1992; effective, T-112-12-10-92, Dec. 10, 1992.)

112-4-12. Qualifications for apprentice jockey. (a) Any person who has ridden fewer than 40 winners or who has ridden for less than three years since first being licensed in any racing jurisdiction, and who otherwise meets the license qualifications of a jockey, may qualify as an apprentice jockey if the applicant completes satisfactory rides in at least two races under the observation of the stewards. Any apprentice jockey may be granted an apprentice certificate issued by the stewards and filed with the commission in replacement of a traditional apprentice contract.

(b) Each contract and transfer of contract shall be approved by the stewards and filed with the commission. Each contract employer shall not have any interest in the earnings of an apprentice jockey. Race track or commission officials and their licensed assistants and employees shall not directly or indirectly buy or sell any contract upon any jockey or apprentice jockey for themselves or any other person.

(c) In thoroughbred races, each apprentice jockey shall ride with a five-pound weight allowance beginning with the apprentice jockey's first mount. Each apprentice jockey's five-pound weight allowance shall:

(1) Continue for a one-year period beginning on the date of the apprentice jockey's fifth winning mount;

(2) continue for a second one-year period beginning on the date the initial one-year period expires if the apprentice jockey has not accumulated a total of 40 winning mounts from the date of the apprentice jockey's first winning mount; and

(3) then terminate:

(A) Upon the expiration of the second one-year period; or

(B) during the second one-year period when the apprentice jockey accumulates a total of 40 winning mounts from the date of the apprentice jockey's first winning mount, whichever first occurs.

(d) Only the results from thoroughbred races at authorized race meetings in the United States, Canada or Mexico that are reported in the daily racing form or other recognized racing publications approved by the commission shall be considered in determining license eligibility for apprentice jockeys.

(e) If an apprentice jockey is unable to ride for a period of 14 consecutive days or more after the date of the apprentice jockey's fifth winning mount because of service in the armed forces of the United States or because of physical disability, the time during which the apprentice weight allowance may be claimed may be extended by the commission for a period not to exceed the period the apprentice jockey was unable to ride. (Authorized by K.S.A. 1991 Supp. 74-8804, as amended by L. 1992, Ch. 27, Sec. 3, and L. 1992, Ch. 286, Sec. 2; implementing K.S.A. 1991 Supp. 74-8816, as amended by L. 1992, Ch. 286, Sec. 8; effective, T-112-1-19-89, Jan. 19, 1989; effective April 10, 1989; amended, T-112-8-13-92, Aug. 13, 1992; amended, T-112-12-10-92, Dec. 10, 1992.)

112-4-13. (Authorized by K.S.A. 1987 Supp. 74-8804, as amended by L. 1988, Ch. 315, Sec. 3; implementing K.S.A. 1987 Supp. 74-8816, as amended by L. 1988, Ch. 316, Sec. 4; effective, T-112-1-19-89, Jan. 19, 1989; effective April 10, 1989; revoked, T-112-8-13-92, Aug. 13, 1992; revoked, T-112-12-10-92, Dec. 10, 1992.)

112-4-16. Qualifications for license as a horse owner. (a) Each applicant for a horse owner license shall:

(1) Own a record of a properly registered race horse that the horse owner licensee applicant intends to race in Kansas;

(2) have the race horse in the care of a licensed trainer; and

(3) have an interest in the race horse as part owner or lessee or managing owner of a corporation, syndicate or partnership that is the legal owner of the race horse; or

(4) intend to claim a horse by open claim as authorized by K.A.R. 112-7-15. (Authorized by K.S.A. 1991 Supp. 74-8804, as amended by L. 1992, Ch. 27, Sec. 3, and L. 1992, Ch. 286, Sec. 2; implementing K.S.A. 1991 Supp. 74-8816, as amended by L. 1992, Ch. 286, Sec. 8; effective, T-112-1-19-89, Jan. 19, 1989; effective April 10, 1989; amended, T-112-8-13-92, Aug. 13, 1992; amended, T-112-12-10-92, Dec. 10, 1992.)

112-4-17. Horse ownership by lease. Any leased horse may be raced if a completed lease form that includes the information required by the commission is attached to the registration certificate and is on file with the racing secretary. Each lessor and lessee shall be licensed as a horse owner. Each lease arrangement shall not be made for the purpose of avoiding insur-

ance requirements or commission regulations. (Authorized by K.S.A. 1991 Supp. 74-8804, as amended by L. 1992, Ch. 27, Sec. 3, and L. 1992, Ch. 286, Sec. 2; implementing K.S.A. 1991 Supp. 74-8816, as amended by L. 1992, Ch. 286, Sec. 8; effective, T-112-1-19-89, Jan. 19, 1989; effective April 10, 1989; amended, T-112-8-13-92, Aug. 13, 1992; amended, T-112-12-10-92, Dec. 10, 1992.)

112-4-18. Greyhound ownership by lease. Any leased greyhound may be raced if a completed lease form that includes the information required by the commission is attached to the registration certificate and is on file with the director of racing. Each lessor and lessee shall be licensed as a greyhound owner. No lease arrangement shall be made for the purpose of avoiding insurance requirements or commission regulations. (Authorized by K.S.A. 1991 Supp. 74-8804, as amended by L. 1992, Ch. 27, Sec. 3, and L. 1992, Ch. 286, Sec. 2; implementing K.S.A. 1991 Supp. 74-8816, as amended by L. 1992, Ch. 286, Sec. 8; effective, T-112-1-19-89, Jan. 19, 1989; effective April 10, 1989; amended, T-112-8-13-92, Aug. 13, 1992; amended, T-112-12-10-92, Dec. 10, 1992.)

112-4-19. Horse or greyhound ownership by corporation, partnership, syndicate or other association or entity. (a) If the legal owner of any horse or greyhound is a corporation, partnership, syndicate or other association or entity, each shareholder or partner shall be licensed as a horse or greyhound owner unless the stewards, racing judges or the commission determine upon a showing of just cause that the best interests of racing dictate that not all shareholders or partners should be licensed.

(b) Each corporation, partnership, syndicate, or other association or entity that owns a horse or greyhound at a racetrack facility shall file the following information with the commission:

(1) Organizational documents for the entity identifying each shareholder by name and mailing address including zip code;

(2) relative proportion of ownership interest;

(3) terms of sale with contingencies, arrangements or leases;

(4) documents declaring to whom winnings are payable and under what name the horse or greyhound shall be run; and

(5) the name and address including zip code of each licensed person or persons who assumes all responsibilities as owner of the horse or greyhound.

(c) No part owner of any horse or greyhound shall assign the ownership interest without the written consent of the other partners. The assignor shall file each written consent with the commission.

(d) Each corporation, partnership, syndicate or other association or entity that owns a horse or greyhound shall register annually the information required by the regulations and pay the required fee or fees for the appropriate entity. (Authorized by K.S.A. 1991 Supp. 74-8804, as amended by L. 1992, Ch. 27, Sec. 3, and L. 1992, Ch. 286, Sec. 2; implementing K.S.A. 1991 Supp. 74-8816, as amended by L. 1992, Ch. 286, Sec. 8; effective, T-112-1-19-89, Jan. 19, 1989; effective April

10, 1989; amended, T-112-8-22-89, Aug. 22, 1989; amended Oct. 2, 1989; amended, T-112-8-13-92, Aug. 13, 1992; amended, T-112-12-10-92, Dec. 10, 1992.)

112-4-21a. Kennel owner license. (a) Each applicant for a kennel owner license shall:

(1) be the owner or partial owner of a kennel registered pursuant to K.A.R. 112-4-21; and

(2) have a current kennel contract with an organization licensee. (Authorized by and implementing K.S.A. 1991 Supp. 74-8804, as amended by L. 1992, Ch. 27, Sec. 3, and L. 1992, Ch. 286, Sec. 2; effective, T-112-8-13-92, Aug. 13, 1992; effective, T-112-12-10-92, Dec. 10, 1992.)

112-4-22. Licensing required. The applicant shall complete each license procedure required by the commission before the applicant assumes any duties at a racetrack facility except as follows. Any trainer may apply for a 30 day license on behalf of an absentee horse owner and pay the required application fees. Each horse owned by an absentee horse owner shall be permitted only one start during the 30 day period. Each absentee horse owner shall complete the licensing procedure before the 30 day license expires. No organization licensee shall pay purse money to the absentee horse owner until the owner secures a permanent horse owner's license. If the permanent horse owner's license is not secured within 30 days, the trainer and absentee owner shall be penalized by the commission. (Authorized by K.S.A. 1991 Supp. 74-8804, as amended by L. 1992, Ch. 27, Sec. 3, and L. 1992, Ch. 286, Sec. 2; implementing K.S.A. 1991 Supp. 74-8816, as amended by L. 1992, Ch. 286, Sec. 8; effective, T-112-1-19-89, Jan. 19, 1989; effective April 10, 1989; amended, T-112-8-22-89, Aug. 22, 1989; amended Oct. 9, 1989; amended, T-112-8-13-92, Aug. 13, 1992; amended, T-112-12-10-92, Dec. 10, 1992.)

112-4-23. Conduct. No person shall: (a) engage in any conduct which by its nature is unsportsmanlike or detrimental to the best interests of racing;

(b) willfully ignore, refuse to comply or interfere with verbal or written orders of a racing official, employee or commission representative in the performance of official duties; or

(c) threaten, use abusive or profane language when addressing a racing official, employee or commission representative. (Authorized by and implementing K.S.A. 1991 Supp. 74-8804, as amended by L. 1992, Ch. 27, Sec. 3, and L. 1992, Ch. 286, Sec. 2 and 74-8816, as amended by L. 1992, Ch. 286, Sec. 8; effective, T-112-8-13-92, Aug. 13, 1992; effective, T-112-12-10-92, Dec. 10, 1992.)

Article 7.—RULES FOR RACING

112-7-2. Ownership. (a) The legal ownership of each horse, and the name of each owner that is printed on the official program for the horse, shall conform to the ownership declaration on the horse's certificate of registration, eligibility certificate or lease agreement on file with the organization licensee. Each stable name shall be registered with the commission as the owner

(continued)

or owners. If the owner is a syndicate, corporation, partnership or other association or entity, the horseowner whose name is printed on the official program shall be the responsible manager owner, officer or partner who assumes all responsibilities of the owner.

(b) Each horse owned in whole or in part or under the care and control of an individual who is excluded from a racetrack or who has a suspended license shall be ineligible to enter or to start in any race. The horse's eligibility may be reinstated when the individual's penalty terminates or when the horse is transferred through a bona fide sale to an owner approved by the stewards. Each individual who is excluded from a racetrack or who has a suspended license, whether acting as an agent or otherwise, shall not be qualified to subscribe for, to enter or to run any horse in any race either in the individual's own name or in the name of any other person until the termination of the penalty. (Authorized by and implementing K.S.A. 1991 Supp. 74-8804, as amended by L. 1992, Ch. 27, Sec. 3, and L. 1992, Ch. 286, Sec. 2, as amended by L. 1992, Ch. 27, Sec. 3, and L. 1992, Ch. 286, Sec. 2; effective, T-112-2-23-89, Feb. 23, 1989; effective June 19, 1989; amended, T-112-8-13-92, Aug. 13, 1992; amended, T-112-12-10-92, Dec. 10, 1992.)

112-7.5. Horses sold or transferred with engagements. (a) Each racing secretary shall require any licensee to provide evidence of any sale or transfer when a horse is sold or transferred with its engagements, and the failure to produce evidence shall render the horse ineligible to start in any race.

(b) No person shall transfer or receive the transfer of a horse or engagement of a horse for the purpose of avoiding any disqualification. (c) Each sale or transfer of a horse located at a racetrack facility shall not be final until approved by the stewards. (Authorized by and implementing K.S.A. 1991 Supp. 74-8804, as amended by L. 1992, Ch. 27, Sec. 3, and L. 1992, Ch. 286, Sec. 2; effective, T-112-2-23-89, Feb. 23, 1989; effective June 19, 1989; amended, T-112-8-13-92, Aug. 13, 1992; amended, T-112-12-10-92, Dec. 10, 1992.)

112-7.6. Registration and eligibility. (a) No person shall enter or start a horse in a race unless:

(1) the horse is duly registered with and approved by the registry offices of:

- (A) the jockey club, if a thoroughbred;
- (B) the American quarter horse association, if a quarter horse;
- (C) the Appaloosa horse club, if an Appaloosa;
- (D) the Arabian horse club registry of America, if an Arabian;
- (E) the American paint horse association, if a paint;
- (F) the pinto horse association of America, inc., if a pinto;
- (G) the American trotter's association, if a standardbred; or

(H) any successors to any of the registries named in subparagraphs (A) through (G) or other registry recognized by the commission;

(2) the horse's registration certificate, showing the tattoo number of the horse, is filed with the racing secretary by entry time for the race. In stakes races,

the registration certificate shall be filed not less than two hours prior to the scheduled post time for the race, except as provided in subparagraph (b) (10) of this regulation;

(3) the horse is in the care of a licensed trainer and owned by an owner licensed by scratch time, except that for the first ten days of a race meeting or for stakes races, an owner must be licensed by one hour before first post on the day of the race;

(4) at the time of entry, the horse is eligible under the conditions of the race as specified by the racing secretary and remains eligible until the race; and

(5) if the horse's name is changed, its new name is registered with the appropriate registry listed in subsection (a), paragraph (1) (A) through (G) of this regulation. Both the horse's previous name and new name shall be stated in every entry list until the horse has run three races. Both names shall be printed in the official programs for those three races.

(b) No person shall enter or start a horse in a race if:

- (1) the horse is suspended;
- (2) the horse is on the steward's list, starter's list or veterinarian's list;
- (3) the certificate reflecting a negative Coggins test, performed upon the horse within the immediate past 12 months, has not been submitted to the racing secretary;
- (4) the identification markings of the horse do not agree with the identification as set forth on the registration certificate to the extent that a correction is required from the appropriate breed registry, unless the permission of the stewards and the identifier are given;

(5) the horse has not been lip-tattooed by a commission-approved tattooer;

(6) the entry of the horse is not in the name of the true owner;

(7) the horse has drawn into the field or started in a race on the same day;

(8) the horse's age, as determined by an examination of its teeth by the official veterinarian, does not correspond to the age shown on its registration certificate;

(9) the horse's certificate of registration reflects an unknown sire or dam; or

(10) an ownership transfer for a horse is being forwarded to a breed registry.

(c) No person shall start a horse in any race unless it has been properly entered in the race. Any horse that is improperly entered shall not be entitled to any part of the purse. However, once the "official" sign is posted, this regulation shall not affect the wagering on the race.

(d) Each trainer shall be responsible for the eligibility of horses entered by the trainer or an authorized agent of the trainer.

(e) Any nomination or entry of a horse or the transfer of any nomination or entry may be refused by the organization licensee for reasonable cause. (Authorized by and implementing K.S.A. 1991 Supp. 74-8804, as amended by L. 1992, Ch. 27, Sec. 3, and L. 1992, Ch. 286, Sec. 2; effective, T-112-2-23-89, Feb. 23, 1989; ef-

effective June 19, 1989; amended March 25, 1991; amended, T-112-8-13-92, Aug. 13, 1992; amended, T-112-12-10-92, Dec. 10, 1992.)

112-7-7. Entries. (a) Each horse entered for the first time at a race meeting shall be identified by its name, color, sex, age and the name of its sire or sires and dam as registered. For every other race, each horse shall be identified by its name, color, sex and age.

(b) Each nomination and entry shall be made in writing and signed by the owner or trainer of the horse, or the owner's authorized agent. Each organization licensee shall provide forms upon which entries, scratches and declarations are to be made for all races.

(1) Only each steward, racing secretary and secretary's designee shall be authorized to receive entries, scratches and declarations.

(2) Any entry may be made by telephone, facsimile or telegraph, but each entry shall be confirmed in writing one hour before post time of the first race on the day of the race for which the horse is entered.

(3) In a stakes race, the closing of nominations, entries, interim payments and declarations shall be in accordance with the conditions published by the organization licensee sponsoring the race.

(4) Each signed entry blank shall be prima facie evidence that the contents of the entry blank express the desire and intent of the person making the entry.

(c) Each nominator shall be liable for entrance money or stakes. A mistake in the entry of a horse when eligible shall not release the subscriber or the subscriber's transfer from liability for stakes or entrance money. Entrance money or stakes shall not be refunded because of the death of a horse or because of its failure to start a race.

(d) No person shall:

(1) enter in the person's name a horse of which the person is not the actual owner;

(2) enter or cause to be entered or start a horse that the person knows or believes to be ineligible or disqualified;

(3) enter a horse in more than one race on any day, except stakes races; or

(4) enter a horse in a race if it is wholly or partly owned by, trained by, or under the management of an unlicensed person, a person whose license is under suspension, or a person who acts in concert with or under the control of a person whose license is under suspension.

(e) Each entry from an unlicensed person or a person whose license is suspended and each entry of an ineligible horse is void, and any money paid for the entry shall be paid to the purse of the race.

(f) Except for decisions regarding disqualification for interference during the running of the race, each dispute, claim and objection relating to the race and the interpretation of commission regulations shall be decided by the stewards or, upon review, by the commission. (Authorized by and implementing K.S.A. 1991 Supp. 74-8804, as amended by L. 1992, Ch. 27, Sec. 3, and L. 1992, Ch. 286, Sec. 2; effective, T-112-2-23-89, Feb. 23, 1989; effective June 19, 1989;

amended, T-112-8-13-92, Aug. 13, 1992; amended, T-112-12-10-92, Dec. 10, 1992.)

112-7-8. Coupled entries. (a) Not more than two horses of the same licensed ownership or interest shall be entered and started in a race, except in stakes races and races that are conditioned for horses eligible for specified stakes.

(b) No owner or trainer shall enter more than two horses in an overnight event. Two horses shall not start to the exclusion of a single horse.

(c) Horses trained by a public stable trainer shall not be coupled with horses trained by another public stable trainer unless the horses are owned by the same person or are coupled as a field for wagering purposes.

(d) All horses owned wholly or in part or trained by the same person or the person's spouse and entered and started in a race except as noted in subsection (a) shall be coupled and run as an entry.

(e) If two or more horses are coupled as an entry only for the reason that the horses are trained by the same trainer, any organization licensee may run the horses as separate interests, and the provisions of subsections (a) through (d) above shall not govern. (Authorized by and implementing K.S.A. 1991 Supp. 74-8804, as amended by L. 1992, Ch. 27, Sec. 3, and L. 1992, Ch. 286, Sec. 2; effective, T-112-2-23-89, Feb. 23, 1989; effective June 19, 1989; amended, T-112-8-13-92, Aug. 13, 1992; amended, T-112-12-10-92, Dec. 10, 1992.)

112-7-9. Loss of entries. Each person who alleges loss of an entry or declaration for a stakes race shall provide satisfactory proof to the racing secretary that it was mailed, facsimiled or telegraphed within a reasonable time before the designated time for closing, or it shall not be considered received. (Authorized by and implementing K.S.A. 1991 Supp. 74-8804, as amended by L. 1992, Ch. 27, Sec. 3, and L. 1992, Ch. 286, Sec. 2; effective, T-112-2-23-89, Feb. 23, 1989; effective June 19, 1989; amended, T-112-8-13-92, Aug. 13, 1992; amended, T-112-12-10-92, Dec. 10, 1992.)

112-7-10. Closing of entries and drawing of post positions. (a) No entry or declaration for a stakes race shall be considered if received after the hour designated for closing. If an hour for closing is not designated, any entry or declaration may be mailed, facsimiled or telegraphed before midnight of the day designated for closing, if the entry or declaration complies with every other condition of the race.

(b) Each drawing of entries for post positions shall be governed by the following procedures.

(1) If entries exceed the permitted number of starters, the number of starters shall be reduced to the proper number by the preferred date system. The date system may be used for the entire race or for each division of the race at the option of the organization licensee.

(2) The racing secretary shall select an owner or a trainer who is present in the entry office to draw the entry sheets and post position numbers in public view within a reasonable time following each closing of en-

(continued)

tries. Each entry shall be drawn from its approved receptacle before the number ball is released from the number box.

(3) In divided and split races, the starters in the separate divisions shall be selected by the preferred date system. (Authorized by and implementing K.S.A. 1991 Supp. 74-8804, as amended by L. 1992, Ch. 27, Sec. 3, and L. 1992, Ch. 286, Sec. 2; effective, T-112-2-23-89, Feb. 23, 1989; effective June 19, 1989; amended, T-112-8-13-92, Aug. 13, 1992; amended, T-112-12-10-92, Dec. 10, 1992.)

112-7-13. Declarations and scratches. (a) Each declaration and scratch shall be made in writing and signed by the owner or trainer of the horse or the owner's authorized agent. Each organization licensee shall provide forms on which scratches and declarations shall be made.

(1) No horse shall be scratched without permission of the stewards.

(2) Each scratch shall be made before the scratch time set by the organization licensee, except as provided in subsections (c) through (h) of this regulation.

(3) If a scratch reduces the number of horses in the race, each horse left in the race shall move into the lower numbered post positions before any horse is drawn from the also eligible list.

(b) If a scratch reduces the number of horses in the race below the number designated for the race, the designated number of horses shall be maintained by the drawing of lots from the also eligible list after the scratch has occurred, and each horse drawn by this procedure shall be required to race.

(c) Each scratch from an early-closing stakes race shall be made not less than one hour before post time of the race. Any steward or animal health officer, acting with the approval of the stewards, may scratch a horse at any time before post time of the race.

(d) If a horse is not named through the entry box at the usual time of closing in a stakes race, that horse shall be scratched from the race.

(e) Any nomination of a horse to a stakes race may be altered or withdrawn at any time before the closing time for nominations.

(f) Despite paragraph (a) (2) of this regulation, the stewards may permit the withdrawal of any horse after it has left the paddock for any reason that they determine to be in the best interests of racing.

(g) The stewards may declare a horse a nonstarter for any occurrence before the running of a race.

(h) If any horse is so unruly in the saddling paddock that the identifier cannot read the tattoo number to properly identify the horse, or if any trainer or assistant is uncooperative in the effort to identify the horse, the horse may be scratched by order of the stewards.

(i) Each declaration of a horse out of an engagement shall be irrevocable. (Authorized by and implementing K.S.A. 1991 Supp. 74-8804, as amended by L. 1992, Ch. 27, Sec. 3, and L. 1992, Ch. 286, Sec. 2; effective, T-112-2-23-89, Feb. 23, 1989; effective June 19, 1989; amended, T-112-8-13-92, Aug. 13, 1992; amended, T-112-12-10-92, Dec. 10, 1992.)

112-7-15. (Authorized by and implementing K.S.A. 1991 Supp. 74-8804, as amended by L. 1992, Ch. 27, Sec. 3, and L. 1992, Ch. 286, Sec. 2; effective, T-112-2-23-89, Feb. 23, 1989; effective June 19, 1989; amended, T-112-8-13-92, Aug. 13, 1992; amended, T-112-12-10-92, Dec. 10, 1992.)

112-7-15a. Claiming. (a) Except as otherwise provided by these racing regulations, in a claiming race, each horse shall be subject to a claim for its entered price by:

(1) a licensed owner who has a horse registered to race at the current race meeting or the owner's authorized agent; or

(2) a person licensed as an owner by open claim.

(b) No owner shall make a claim directly or indirectly for the owner's own horse.

(c) The filing of claims shall be supervised by a steward or a designee of the stewards.

(d) Each claim shall be made in writing on a form and in an envelope that are provided by the organization licensee and approved by the commission. Each form and envelope shall be fully executed, and the information appearing on them shall be true and correct. Each horse's name shall be written as it appears on the official program.

(e) Each person making a claim shall be responsible for determining the age and sex of the horse.

(f) Each claim shall be deposited in a locked box provided by the racing secretary not later than 10 minutes before post time of the race in which the horse being claimed is to start. No person shall place money or other consideration in the claim box.

(g) Before the deadline for filing claims, no person shall open the box in which the claims are deposited or reveal any information regarding any claim.

(h) After the deadline for filing claims, a steward or a designee of the stewards shall open the box, examine the claims and notify the stewards of any successful claim. The racing secretary and "horsemen's bookkeeper" then shall be notified of the claim to determine whether the appropriate amount is on deposit with the "horsemen's bookkeeper" and to debit the claimant's account for the amount of the claim and applicable fees.

(i) If more than one claim is filed for the same horse, the successful claimant shall be determined by lot under the supervision of the steward or steward's designee.

(j) Each title to a horse that is claimed shall be vested in the successful claimant when the stall door of the starting gate opens in front of the horse. This provision shall apply regardless of any subsequent injury to the horse during or after the race.

(k) On the day it is claimed, each claimed horse shall run in the interest of and for the account of the owner from whom the horse was claimed.

(l) Except as otherwise provided by this regulation, each claim that is filed in accordance with these provisions is irrevocable.

(m) If the stewards excuse a horse before it is a starter, each claim for the horse shall be invalid.

(n) If the stewards declare a claiming race a "no race," each claim filed for that race shall be invalid.

(o) To file a valid claim, each person shall deposit with the "horsemen's bookkeeper" cash, a money order, a certified check or a cashier's check in an amount equal to the sum of the claim and all transfer fees. With the prior written approval of the organization licensee, a person may deposit a personal check with the "horsemen's bookkeeper" to satisfy the claim and transfer fees. Each organization licensee shall guarantee and be liable for any insufficient funds related to a personal check that it has approved for this purpose.

(p) Each person who files a claim shall not exhaust the person's account with the "horsemen's bookkeeper" during the two-hour period after the claim was filed.

(q) After the claiming race, each horse that has been claimed shall be taken to the area designated by the organization licensee for delivery to the claimant, unless the horse is designated for testing.

(r) No person shall refuse to deliver a claimed horse.

(s) Each engagement of a claimed horse automatically shall transfer to the new owner. Each claimed horse shall be ineligible to enter a future race unless the entry is made on behalf of the new owner.

(t) Without written authorization from a steward or the stewards' designee, no claimed horse shall be delivered to a successful claimant.

(u) Each claimed horse that has been designated for post-race testing shall remain the responsibility of its trainer until after the collection of the test specimen. After the required test procedures are completed, the trainer shall deliver the claimed horse to the successful claimant.

(v) During the 30-day period after a person claims a horse:

(1) the claimant shall not sell or transfer any ownership interest in the claimed horse by any method except a claiming race;

(2) the claimed horse shall be ineligible to enter a claiming race, including a starter handicap, for a price less than 25 percent more than the price at which the horse was claimed; and

(3) the claimed horse shall be ineligible to start in a race outside this state, except to fulfill a previously committed stakes engagement.

(w) If a horse is claimed at a recognized race meeting governed by the rules of another racing jurisdiction, the claiming rules of the jurisdiction where the horse was claimed shall be recognized in Kansas. However, while the horse races in Kansas, this regulation shall apply. (Authorized by and implementing K.S.A. 1991 Supp. 74-8804, as amended by L. 1992, Ch. 27, Sec. 3, and L. 1992, Ch. 286, Sec. 2; effective, T-112-8-13-92, Aug. 13, 1992; amended, T-112-12-10-92, Dec. 10, 1992.)

112-7-15b. Claiming, vacated stable. (a) Except as otherwise provided by this regulation, each owner whose stable is vacated by the sale or removal of horses from the racetrack facility shall lose any right to claim horses at the race meeting.

(b) Each owner whose stable is vacated by claims shall be entitled to make claims until the later of:

(1) the end of the race meeting at which the stable was vacated; or

(2) the 31st race day after the date the stable was vacated.

(c) Each owner whose stable was vacated and who intends to make a claim at a subsequent race meeting shall file with the claim a certificate from the stewards who presided at the race meeting at which the stable was vacated.

(d) Any owner whose stable was vacated because of fire or like event may be permitted by the stewards to claim horses in accordance with this regulation. (Authorized by and implementing K.S.A. 1991 Supp. 74-8804, as amended by L. 1992, Ch. 27, Sec. 3, and L. 1992, Ch. 286, Sec. 2; effective, T-112-8-13-92, Aug. 13, 1992; effective, T-112-12-10-92, Dec. 10, 1992.)

112-7-16. Invalid or void claims and prohibitions on claims. (a) Each claim shall be invalid if:

(1) The name of the horse to be claimed is erroneously spelled or is not specified in the space provided on the claim form;

(2) the claimant does not have at least the amount of the claim and any applicable state sales tax on deposit or credited with the "horsemen's bookkeeper";

(3) the claim form does not specify the designated price as printed in the official program, is not signed, or does not fully indicate the name of the party making the claim or is otherwise incorrectly completed; or

(4) the claim envelope is inaccurate.

(b) If a claim is voided by the stewards, the horse claimed shall be returned to the original owner who, in turn, shall refund all of the claim money to the unsuccessful claimant.

(c) No person or racing interest shall:

(1) claim more than one horse from any one race;

(2) claim their own horse or cause the horse to be claimed, directly or indirectly, for their own account;

(3) refuse to deliver a claimed horse to the successful claimant;

(4) remove any horse that has been entered in a claiming race from the racetrack facility where it has been entered to race, or fail or refuse to comply with any rule or any condition of the race meeting for the purpose of avoiding or preventing a claim for the horse;

(5) offer or enter into an agreement to claim or not to claim or attempt to prevent another person from claiming any horse in a claiming race;

(6) attempt to intimidate or prevent anyone from running a horse in any claiming race;

(7) claim horses owned or trained by the claimant's trainer's spouse, child, sibling, parent, mother-in-law or father-in-law;

(8) claim a horse from an owner whose horse is trained by the claimant's trainer;

(9) if a trainer, claim a horse from an owner for whom the trainer trains;

(10) enter or allow to be entered any horse against which any claim is held, either by mortgage or lien of any kind, without having filed the written consent of the holder of the mortgage or lien with the racing

(continued)

secretary and "horsemen's bookkeeper" before the entry; or

(11) leave a horse that is claimed in the care or custody of the owner from whom the horse was claimed.

(d) If the stewards have reasonable doubt about the validity of a claim, the claimant shall be required by the stewards to execute an affidavit stating that the claimant is claiming the horse for the claimant's own account or as an authorized agent, and not for any other person.

(e) Each claimant shall be solely responsible for determining the true age and sex of a claimed horse, and mistakes in the regard printed in the official program or elsewhere shall not be considered a basis for invalidating the claim.

(f) Not later than 24 hours after the race is run, written protest of a claim may be submitted to the stewards who shall investigate the matter as quickly as possible. (Authorized by and implementing K.S.A. 1991 Supp. 74-8804, as amended by L. 1992, Ch. 27, Sec. 3, and L. 1992, Ch. 286, Sec. 2; effective, T-112-2-23-89, Feb. 23, 1989; effective June 19, 1989; amended, T-112-8-13-92, Aug. 13, 1992; amended, T-112-12-10-92, Dec. 10, 1992.)

112-7-16a. Disclosure of mare in foal. (a) A mare or filly that has been serviced may be entered in a claiming race if:

(1) the owner files with the racing secretary a certificate from a licensed veterinarian that is dated no earlier than 40 days after the date the mare or filly was last serviced and that states the mare or filly is not in foal; or

(2) before entering the mare or filly, the owner:

(A) files with the racing secretary a statement disclosing the servicing of the mare or filly, which shall be posted in the office of the racing secretary;

(B) files with the racing secretary a signed statement agreeing to deliver without cost to a successful claimant the valid stallion service certificate regarding the servicing of the mare or filly; and

(C) makes all payments due for the stallion service or for any resulting live foal.

(b) Any successful claimant of a mare or filly in a claiming race may file with the stewards, not more than 30 days after the date of the claim, a petition to rescind the claim if:

(1) the claimant learns the mare or filly is in foal; and

(2) the owner of the mare or filly has not complied with subsection (a) of this regulation. (Authorized by and implementing K.S.A. 1991 Supp. 74-8804, as amended by L. 1992, Ch. 27, Sec. 3, and L. 1992, Ch. 286, Sec. 2; effective, T-112-8-13-92, Aug. 13, 1992; effective, T-112-12-10-92, Dec. 10, 1992.)

112-7-18. Jockeys. (a) Each jockey engaged to ride in a race shall report to the jockey room at least one hour before post time of the first race and shall weigh out at the appointed time. After reporting to the jockey room, the jockey shall not leave it except to ride in a race until all of that jockey's riding engagements have been fulfilled, unless the jockey has permission from the stewards.

(b) Only jockeys, jockey attendants, racing officials, commission representatives, security officers on duty

and organization employees performing required duties may enter the jockey room from one hour before post time for the first race until after the last race subject to the following exception. Only with the permission of the stewards or the commission may any other person enter the jockey room at the time identified in this subsection.

(c) Each jockey mount fee for a horse in the race shall be on deposit with the "horsemen's bookkeeper" before the time for weighing out. Failure to deposit the minimum fee shall be cause for disciplinary action and cause for the stewards to scratch the horse for which the fee is to be deposited. Each organization licensee shall assume the obligation to pay the jockey fee when it is earned by the engaged jockey. The jockey mount fee shall be earned when the jockey is weighed out by the clerk of scales unless a jockey who is capable of riding elects to take himself off the horse without proper cause in the opinion of the stewards.

(d) No jockey who is engaged for a certain race or for a specified time shall fail or refuse to abide by the agreement unless the jockey is excused by the stewards.

(e) Without the permission of the owner or trainer, no jockey shall weigh out if the jockey weighs more than two pounds over the weight assigned to the horse. Under no circumstances shall the overweight exceed seven pounds. In such case no jockey mount fee is due the overweight jockey.

(f) When directed by the stewards, each jockey shall report to the stewards for film review.

(g) Each jockey shall give a best effort to win in any race in which the jockey is riding. (Authorized by and K.S.A. 1991 Supp. 74-8804, as amended by L. 1992, Ch. 27, Sec. 3, and L. 1992, Ch. 286, Sec. 2; implementing K.S.A. 1991 Supp. 74-8804, as amended by L. 1992, Ch. 27, Sec. 3, and L. 1992, Ch. 286, Sec. 2; effective, T-112-2-23-89, Feb. 23, 1989; effective June 19, 1989; amended, T-112-8-13-92, Aug. 13, 1992; amended, T-112-12-10-92, Dec. 10, 1992.)

112-7-18a. Jockey agent. (a) Any jockey agent may represent a jockey if the jockey agent is registered with the stewards and licensed by the commission as a jockey agent. No jockey agent shall represent more than two jockeys and one apprentice jockey at the same time.

(b) No jockey agent shall give to anyone, directly or indirectly, any information or advice on races, commonly known as "touting," for personal gain.

(c) Each jockey agent shall maintain a record of all engagements made for the jockeys they represent. The record shall specify first and second calls in each race. The officials may require that the jockey agent file the first and second calls with the racing secretary and display their record of engagements.

(d) Any trainer or owner may demand from a jockey or jockey agent written confirmation of an engagement. Each jockey shall be bound by agreements made on the jockey's behalf by the jockey's agent.

(e) Each conflicting claim for the services of a jockey shall be decided by the stewards.

(f) Each jockey agent immediately shall notify the stewards in writing if the jockey agent no longer represents a jockey. (Authorized by and implementing K.S.A. 1991 Supp. 74-8804, as amended by L. 1992,

Ch. 27, Sec. 3, and L. 1992, Ch. 286, Sec. 2; effective, T-112-8-13-92, Aug. 13, 1992; effective, T-112-12-10-92, Dec. 10, 1992.)

112-7-20. Safety helmets required; physical examination required. Each person who is mounted on a race horse within the enclosure or riding in a race shall wear a properly fastened safety helmet. Any other person mounted on any horse may be required by the stewards to wear a safety helmet within the enclosure. Each person who is mounted on a race horse within the enclosure shall have on file at the race track commission office a record of physical examination, including vision and hearing tests, conducted by a person licensed to practice medicine and surgery within the year immediately preceding. (Authorized by and implementing K.S.A. 1991 Supp. 74-8804, as amended by L. 1992, Ch. 27, Sec. 3, and L. 1992, Ch. 286, Sec. 2; effective, T-112-2-23-89, Feb. 23, 1989; effective June 19, 1989; amended, T-112-8-13-92, Aug. 13, 1992; amended, T-112-12-10-92, Dec. 10, 1992.)

112-7-21. Paddock to post. (a) Each horse in a race shall carry a conspicuous saddle-cloth number and a head number corresponding to the horse's number on the official program. In the case of a coupled entry, each horse making up the entry shall bear the same number as the first part of the entry and also a distinguishing letter immediately following the number on the head and saddle-cloth. In the case of a field, the horses comprising the field shall bear an individual number or a particular number immediately followed by a distinguishing letter.

(b) Each trainer shall have the entered horse in the paddock not less than 15 minutes before post time. The trainer shall attend the horse in the paddock and be present to supervise its saddling unless the trainer has obtained the permission of a steward to send an assistant trainer or another trainer as a substitute. Each horse shall be saddled in the paddock unless permission has been granted by the stewards to saddle elsewhere.

(c) Each blanket and bandage except any bandage that will be worn during a race shall be removed immediately upon arrival in the paddock. If weather conditions dictate, blankets may be worn after saddling with the permission of the paddock judge.

(d) The stewards may permit a horse to be led directly to the post and to be excused from the post parade.

(e) Each lead pony and each rider shall be permitted to enter the saddling paddock or walking ring only after the stewards have given permission.

(f) Each post parade shall not last longer than 14 minutes after the horses enter the race track, except in cases of unavoidable delay. When the horses reach the post, they shall be started without unnecessary delay.

(g) After the horses enter the race track, no jockey shall dismount and no horse shall be entitled to the care of an attendant without the permission of the stewards or the starter. Each horse shall be free of all hands other than those of the jockey, lead pony rider, assistant starter or header before the field is dispatched by the starter. In case of accident to a jockey or to the

horse or equipment, any steward or any starter may permit the affected jockey to dismount and the horse to be cared for during the delay and also may permit any other jockeys to dismount and any other horses to be attended during the delay.

(h) Each horse shall carry its assigned weight from paddock to post and from post to finish. If a jockey is thrown on the way from the paddock to the post, the horse shall be remounted, and if reasonably possible, returned to where the jockey was thrown and shall proceed over the route of the parade to the post.

(i) If the jockey sustains an injury on the way to the post that requires substitution of another jockey, the horse shall be returned to the paddock. Another jockey shall mount and then ride the horse over any uncompleted portion of the exact route of the parade to the starting point.

(j) If a horse leaves the course while proceeding from paddock to post, the horse shall return to the course at the nearest practical point where it left the course. It shall then complete its parade to the post from the point at which it left the course.

(k) No person shall willfully delay the arrival of a horse at the post.

(l) Only the jockey shall be permitted to strike a horse to assist in starting. (Authorized by and implementing K.S.A. 1991 Supp. 74-8804, as amended by L. 1992, Ch. 27, Sec. 3, and L. 1992, Ch. 286, Sec. 2; effective, T-112-2-23-89, Feb. 23, 1989; effective June 19, 1989; amended, T-112-8-13-92, Aug. 13, 1992; amended, T-112-12-10-92, Dec. 10, 1992.)

112-7-22. Post to finish. (a) No horse shall be permitted to start unless it has been tattooed and fully identified.

(b) Each horse shall take a position in numerical order from the inside rail. The order shall be determined by post positions.

(c) Each horse shall be a starter after the doors of the starting gate in front of it open when the official starter dispatches the horses.

(d) Each horse shall be ridden past the finish line in every race and shall carry the assigned weights from the post to finish, unless disqualified.

(e) Each horse that leaves the course during a race shall be disqualified.

(f) The following rules shall apply to the running of a race.

(1) In a straightaway race, each jockey shall maintain the horse as nearly as possible in the lane in which it starts.

(2) Each jockey shall make a best effort to control and guide the mount in such a manner as not to cause a foul.

(3) No jockey shall willfully strike or touch another jockey or another jockey's horse or equipment during a race for the purpose of interfering with the horse or jockey. No jockey shall strike the jockey's horse on or about the head.

(4) Any rider may be fined or suspended, or both, by the stewards for willful fouling or careless riding. The nature and seriousness of the offense shall be considered by the stewards.

(5) Any jockey whose horse has been disqualified or who unnecessarily causes the horse to change or

(continued)

shorten its stride for the purpose of losing a race may be fined or suspended.

(g) The stewards shall be vested with the discretion to determine the propriety and nature of a disqualification and whether it applies to any other part of an entry. The stewards' decision shall be final.

(1) To determine the disqualification of a horse in any race, the stewards may either place the horse behind the horse or horses with which they believe it interfered, they may place it last or they may unplace it.

(2) When a horse of one ownership or interest is coupled with a horse or horses of the same or another ownership or interest, the disqualification of one shall not necessarily affect the placing of the other.

(h) Each jockey shall give the best effort in races. Any instructions or advice to jockeys to ride or handle their mounts except for the purpose of winning shall be prohibited and shall subject each person giving or following those instructions or advice to disciplinary action by the stewards and the commission. If two horses run in one interest in any race, each horse shall be ridden to give its best effort.

(i) Only the owner, trainer or jockey alleged to be aggrieved shall make a protest relating to the running of the race. Each protest shall be made to the stewards, the outrider if designated by the stewards or the clerk of scales before or immediately after weighing in. Any owner, trainer or jockey who makes a frivolous protest may be fined or suspended.

(j) No person shall help a jockey remove the equipment that is to be included in the jockey's weight from the jockey's horse unless the stewards give permission.

(k) No person shall throw any covering over any horse at the place of dismounting until the jockey has removed the equipment that is to be included in the jockey's weight.

(l) Each dead heat shall be governed in the following manner.

(1) If two or more horses run a dead heat, the dead heat shall not be run off.

(2) Each horse shall be considered a winner in a dead heat for first place.

(3) If two or more horses finish in a dead heat and a protest is filed and allowed against a horse that finished in front of the dead heat, the horses that ran the dead heat shall be deemed to have run from the higher position.

(4) Owners of horses that finish in a dead heat for any position shall divide equally all money and other prizes. If no agreement is reached as to which of them shall receive an indivisible prize, they shall draw lots for it in the presence of one or more of the stewards.

(m) If a race is run by all of the horses at the wrong weights or over a wrong distance, and if a protest is filed and allowed before the flashing of the "official" sign on the totalisator board, the stewards shall declare the race no contest.

(n) Each of the following procedures shall apply if any horse is disabled or otherwise is unable to finish a race.

(1) The horse shall be dismounted, unsaddled and removed from the racetrack without passing the stand. The horse shall not be destroyed on the racetrack or

in the presence of the public without the permission of the stewards.

(2) If a bone is broken and the horse is disabled, the horse shall remain on the racetrack until the horse ambulance arrives and removes it.

(3) If destruction of the horse is necessary, the animal health officer shall destroy the horse by use of an intravenous injection out of the vision of the public. If destruction in the view of the public is necessary, an ambulance screen shall be made available by the organization licensee.

(4) If a horse is disabled, a drug test for prohibited substances shall be performed on the horse. If destruction of the horse is necessary, a postmortem examination may be performed upon order of the stewards at the expense of the owner. (Authorized by and implementing K.S.A. 1991 Supp. 74-8804, as amended by L. 1992, Ch. 27, Sec. 3, and L. 1992, Ch. 286, Sec. 2; effective, T-112-2-23-89, Feb. 23, 1989; effective June 19, 1989; amended, T-112-8-13-92, Aug. 13, 1992; amended, T-112-12-10-92, Dec. 10, 1992.)

112-7-23. Workouts. (a) Each licensee exercising a horse shall, upon the request of the clocker or assistant clockers, correctly state the distance over which the horse is to be worked and the point on the racetrack where the workout will start. The licensee shall identify the horse if requested to do so. The clocker or assistant clocker shall file with the stewards a daily report listing the date, track condition, name of each horse worked and the time and distance for each workout.

(b) Each licensee shall secure permission from a steward before exercising a horse on the racetrack between races.

(c) If a horse is warming up or exercising on the racetrack, a public announcement shall be made that states the horse's name and explains its presence on the racetrack.

(d) If a horse has not raced in 45 days, it shall not start any race before it completes one workout. If a horse has never raced or has not raced within the last 12 months, it shall not start any race before it completes two workouts. (Authorized by and implementing K.S.A. 1991 Supp. 74-8804, as amended by L. 1992, Ch. 27, Sec. 3, and L. 1992, Ch. 286, Sec. 2; effective, T-112-8-13-92, Aug. 13, 1992; amended, T-112-12-10-92, Dec. 10, 1992.)

Article 10.—ANIMAL HEALTH

112-10-2. Assistant animal health officers. (a) Each assistant animal health officer employed by the commission shall be licensed to practice veterinary medicine in the state of Kansas.

(b) No assistant animal health officer shall treat or prescribe medication for any horse located at a race-track facility or registered to race at a racetrack facility except in an emergency. Each assistant animal health officer who treats or prescribes medication for a horse in an emergency shall immediately file a complete report of the circumstances and veterinary procedure with the stewards and the animal health officer.

(c) No owner or trainer shall employ or pay any compensation to an assistant animal health officer, directly or indirectly, while the assistant animal health officer is employed by the commission.

(d) Assistant animal health officers shall:

(1) Supervise practicing veterinarians at the racetrack facility and recommend to the stewards or the commission the discipline to be imposed upon each practicing veterinarian who violates commission regulations;

(2) determine whether each horse is sound to race, and, if the horse is unsound, place any horse on the veterinarian's list and remove any horse from the veterinarian's list when in an assistant animal health officer's discretion the placement or removal is proper. Each horse shall remain on the veterinarian's list a minimum of four days. No horse shall be entered in a race before its name is removed from the veterinarian's list;

(3) establish a procedure for and supervise the collection of urine, blood or other specimens from horses, as designated by an assistant animal health officer, the stewards or commission and maintain identification records for the specimens as required by the commission;

(4) supervise the procedure for witnessing, sealing and delivering each test specimen to the official test laboratory;

(5) report immediately the name and tattoo number of each horse at a racetrack facility that dies or is humanely destroyed and the reason for the death to the animal health officer;

(6) be at the racing secretary's or stewards' office to report to the racing secretary or stewards on an assistant animal health officer's inspection of horses and the horses' conditions before scratch time on each race day at the time designated by the stewards;

(7) with the permission of the stewards, scratch a horse at any time before the horse enters the starting gate;

(8) direct a horse to be isolated or declare the horse ineligible to race if it has symptoms of chronic unsoundness. If a horse is declared ineligible to race, an assistant animal health officer shall report the fact to the stewards who shall write a formal ruling against the horse and write the reason for the ruling on the horse's registration papers;

(9) accompany and observe each field of horses from the time the horses enter the paddock to be saddled for the race until they are dispatched from the starting gate;

(10) inspect horses in the paddock after the finish of each race;

(11) in an emergency, treat or humanely destroy any horse that is so seriously injured that an assistant animal health officer believes the action is necessary. Each horse owner, if present, and trainer at the racetrack facility shall consent to an assistant animal health officer's humane destruction of a seriously injured horse; and

(12) perform other duties prescribed by the animal health officer, the stewards or the commission. (Authorized by K.S.A. 1991 Supp. 74-8804, as amended by L. 1992, Ch. 27, Sec. 3, and L. 1992, Ch. 286, Sec. 2; implementing K.S.A. 1991 Supp. 74-8806, 74-8810, as amended by L. 1992, Ch. 27, Sec. 4, and L. 1992, Ch. 286, Sec. 3; effective, T-112-3-31-89, March 31, 1989; effective June 26, 1989; amended, T-112-8-13-92, Aug. 13, 1992; amended, T-112-12-10-92, Dec. 10, 1992.)

112-10-3. Practicing veterinarians. (a) Each practicing veterinarian at a racetrack facility shall be licensed to practice veterinary medicine in the state of Kansas and shall secure an occupation license in accordance with the racing act and commission regulations. Before an occupation license issues, each practicing veterinarian shall meet with the animal health officer to verify that the practicing veterinarian has reviewed these racing regulations and is informed about existing medication practice. Each practicing veterinarian, the animal health officer and each assistant animal health officer shall be the only individuals who may administer veterinary treatment, medicine or medication to any horse at the race track facility or to any horse registered to race at the race track facility. Recognized feed supplements, oral tonics or substances approved by the animal health officer shall not be subject to this regulation.

(b) Each practicing veterinarian at a racetrack facility who treats a horse for any contagious or communicable disease shall report the fact immediately in writing to the animal health officer or assistant animal health officers on a form approved by the animal health officer.

(c) Each practicing veterinarian who treats a horse at a racetrack facility shall record the treatment in a log that has been approved by the animal health officer. Each practicing veterinarian shall deliver the log by 10:00 a.m. of the day after the treatment to the assistant animal health officers' office at the racetrack facility. Each log shall be the practicing veterinarian's commission report.

(d) Each practicing veterinarian at a racetrack facility also shall maintain a treatment record on each horse the practicing veterinarian treats during a race meeting. The records shall be compiled in a form similar to the treatment record ordinarily maintained by the practicing veterinarian in private practice. Each practicing veterinarian shall promptly surrender the treatment records to the commission upon its request. Information to be recorded in the treatment record shall include but not be limited to the:

(1) Name and location of the horse treated;

(2) name of the trainer;

(3) nature of the condition treated or probable diagnosis;

(4) nature of the treatment and medication administered; and

(5) date and hour of treatment.

(e) No veterinarian shall deliver to another individual at a racetrack facility a syringe or injectable medication except upon written authorization of the animal health officer or assistant animal health officer.

(f) No practicing veterinarian who treats a horse at a racetrack facility shall wager on the outcome of any race in which the treated horse starts.

(g) Each practicing veterinarian shall comply with the rules and standards of the Kansas board of veterinary examiners.

(h) Each drug or medication at a racetrack facility shall be in a container bearing a veterinarian's prescription or in the original container bearing the manufacturer's label with the serial or lot number. Each practicing veterinarian shall use only disposable syringes and needles to medicate horses. No veterinarian

(continued)

shall abandon a drug or medication or equipment for administering the drug or medication. All equipment for administering the drug or medication shall be destroyed before it is discarded. All drugs, medication or equipment shall be disposed of in a manner which is environmentally safe. (Authorized by K.S.A. 1991 Supp. 74-8804, as amended by L. 1992, Ch. 27, Sec. 3, and L. 1992, Ch. 286, Sec. 2; implementing K.S.A. 1991 Supp. 74-8810, as amended by L. 1992, Ch. 27, Sec. 4, and L. 1992, Ch. 286, Sec. 3, 74-8816, as amended by L. 1992, Ch. 286, Sec. 8; effective, T-112-3-31-89, March 31, 1989; effective June 26, 1989; amended, T-112-8-13-92, Aug. 13, 1992; amended, T-112-12-10-92, Dec. 10, 1992.)

112-10-4. Drugs or medication. (a) No individual shall administer any drug or medication to any horse entered in a race before the race in which the horse is to run and continuing until after the race is run except as authorized in these racing regulations.

(b) If the official test laboratory reports a positive test for any drug, its metabolites or any substance foreign to the natural horse, the animal health officer shall classify the test in accordance with the following classifications:

(1) class one: drugs which have the highest potential for affecting performance and which have no generally accepted use in the racing horse. These include, but are not limited to:

(A) opiates, opium derivatives, synthetic opiates and psychoactive drugs which are classified by Pub. L. No. 91-513 as in effect August 1, 1992, as schedule I or schedule II drugs only;

(B) amphetamines and amphetamine-like drugs which are classified by Pub. L. No. 91-513 as in effect August 1, 1992, as schedule I and schedule II drugs only. They do not include drugs which are listed in schedule II and some additional lower schedule III, IV and V;

(C) miscellaneous agents including but not limited to apomorphine, nikethamide, mazindol, pemoline and pentylenetetrazol; and

(D) substances which are not naturally occurring and have no recognized therapeutic value and which impede testing procedures.

(2) class two: drugs which have less potential to affect performance and which are not generally accepted as therapeutic agents in racing horses, except that therapeutic agents that have a high abuse potential are included. Drugs in this class include, but are not limited to: opiates which are classified by Pub. L. No. 91-513 as in effect August 1, 1992, from schedules III, IV and V, catecholamines, psychotropic drugs, central nervous system and cardiovascular stimulants and depressants and muscle blocking agents. Local anesthetics, because of high potential for use as nerve blocking agents, are included in this class.

(3) class three: drugs which are classified by Pub. L. No. 91-513 as in effect August 1, 1992, found in schedules III, IV and V, and non-scheduled drugs which may or may not have generally accepted use in the racing horse, but the pharmacology or use patterns of which include lower scheduled or non-scheduled opioids, bronchodilators and other drugs with primary effects on the autonomic nervous system, procaine from procaine penicillin, antihistamines with mild sed-

ative properties, the high ceiling diuretics and anabolic steroids are included in this group.

(4) class four: therapeutic medications which would be expected to have less chance of affecting performance than drugs in class three. These include, but are not limited to, corticosteroids, mineralcorticoids, non-steroidal antiinflammatory drugs, including phenylbutazone and oxyphenbutazone at plasma concentrations exceeding 5 micrograms per milliliter or less if detected in a horse that is not permitted such medication or is not identified as having been treated with such medication, less potent diuretics, antihistamines without prominent central nervous system depressant effects, skeletal muscle relaxants, expectorants and mucolytics, homostatics, cardiac glycosides and antiarrhythmics, topical anesthetics, antidiarrheals, hemorrhologics, anticonvulsants, non-opioid drugs with a mild analgesic effect and drugs affecting the autonomic nervous system which do not have prominent central nervous system, cardiovascular or respiratory effects and naturally occurring substances that appear in unusual levels or that may interfere with or impede testing procedures.

(5) class five: category of therapeutic medications for which levels have been established by regulation. Also included in this class are miscellaneous agents such as dimethylsulfoxide and other medications as determined by the commission and any recurring substance that may have an undetermined effect or that cannot be identified by recognized analytical methods.

(c) The animal health officer's classification of the positive test shall be reported to the stewards and executive director.

(d) The finding of a class one positive shall result in a penalty of:

(1) A disqualification of the animal and a redistribution of the purse;

(2) a return of any trophy or other award delivered to the owner or owners;

(3) a fine of up to \$5,000;

(4) a revocation or a suspension of a license for a period of up to five years; or

(5) a combination of the above.

(e) The finding of a class two positive shall result in a penalty of:

(1) A disqualification of the animal and redistribution of the purse;

(2) a return of any trophy or other award delivered to the owner or owners;

(3) a fine of up to \$2500;

(4) a suspension of up to one year; or

(5) a combination of the above.

(f) The finding of a class three positive shall result in a penalty of:

(1) a disqualification of the animal and redistribution of the purse;

(2) a return of any trophy or other award delivered to the owner or owners;

(3) a fine of up to \$1500;

(4) a suspension of up to six months; or

(5) any combination of the above.

(g) The finding of a class four positive shall result in a penalty of:

(1) a disqualification of the animal and redistribution of the purse;

- (2) a return of any trophy or other award delivered to the owner or owners;
- (3) a fine of up to \$1000;
- (4) a suspension of up to 60 days; or
- (5) any combination of the above.
- (h) The finding of a class five positive may result in a penalty of:

- (1) a disqualification of the animal and redistribution of the purse;
- (2) a return of any trophy or other award delivered to the owner or owners;
- (3) a suspension of up to 15 days;
- (4) a fine of up to \$500;
- (5) a warning; or
- (6) any combination of the above.

(Authorized by K.S.A. 1991 Supp. 74-8804, as amended by L. 1992, Ch. 27, Sec. 3, and L. 1992, Ch. 286, Sec. 2; implementing K.S.A. 1991 Supp. 74-8811; effective, T-112-3-31-89, March 31, 1989; effective June 26, 1989; amended March 19, 1990; amended, T-112-8-13-92, Aug. 13, 1992; amended, T-112-12-10-92, Dec. 10, 1992.)

112-10-5. Authorized medication. (a) Furosemide may be administered to any horse that is entered in a race meeting subject to the requirements of these racing regulations. Except upon the instructions of the animal health officer or assistant animal health officers to remove the horse from the veterinarian's list or to facilitate the collection of a post race urine sample, the administration of furosemide shall be permitted only upon the following conditions:

(1) The animal health officer or assistant animal health officer shall place the horse's name on the bleeder list;

(2) the furosemide shall be administered at a location approved by the assistant animal health officer and at least four hours before post time for the race in which each horse is entered;

(3) furosemide shall only be administered to horses three years old or older: by a practicing veterinarian designated by the trainer to administer the furosemide to each horse under the supervision of the animal health officer or assistant animal health officer;

(4) each dose of furosemide administered shall not exceed 250 milligrams;

(5) after furosemide is administered to each horse, it shall remain under the care, custody and control of the trainer or the designated representative until it is time for each horse to be removed to the saddling paddock; and

(6) each owner shall pay all expenses resulting from the administration of furosemide. Costs shall include but not be limited to:

- (A) Administration;
- (B) injection;
- (C) blood testing;
- (D) laryngoscopic examination;
- (E) custody; and
- (F) security.

(b) Phenylbutazone may be administered to any horse that is entered in a race meeting subject to the requirements set out in the following subsections.

(1) Each trainer shall file a request to administer phenylbutazone with the assistant animal health officer. Each request shall be recorded on a form approved

by the animal health officer, and each trainer shall secure written approval of the request from the assistant animal health officer before the horse is entered in a race.

(2) When approved, phenylbutazone shall be administered:

(A) at least 24 hours before the scheduled post time for the race in which the horse is entered; and

(B) in a dose that shall not cause a test sample taken from the horse after the race to exceed a level of 5 micrograms of drug substance or its metabolites or analogs per milliliter of blood plasma.

(3) When authorized, phenylbutazone shall be administered only to horses three years of age or older.

(4) No other nonsteroidal anti-inflammatory drug shall be authorized. (Authorized by K.S.A. 1991 Supp. 74-8804, as amended by L. 1992, Ch. 27, Sec. 3, and L. 1992, Ch. 286, Sec. 2; implementing K.S.A. 1991 Supp. 74-8811; effective, T-112-3-31-89, March 31, 1989; effective June 26, 1989; amended, T-112-8-13-92, Aug. 13, 1992; amended, T-112-12-10-92, Dec. 10, 1992.)

112-10-6. Bleeder list. (a) Subject to the requirements of these racing regulations, furosemide may be administered to any horse that is entered in a race and that has its name on the bleeder list. Any horse's name may be placed on the bleeder list if the following conditions are met:

(1) The animal health officer or assistant animal health officer observes a horse shed blood from one or both nostrils during or following exercise or a race; or

(2) a laryngoscopic examination conducted by a practicing veterinarian employed by the horse's owner or the owner's agent and conducted under the observation of the animal health officer or assistant animal health officer determines that a horse is a certified bleeder; and

(3) each owner or the owner's agent files a bleeder certificate for the horse in the racing secretary's office, if the certificate is from a jurisdiction that uses bleeder qualification criteria satisfactory to the assistant animal health officer. Each certificate shall bear the signature of the racing commission official in the state of origin.

(b) Each owner shall receive a bleeder certificate signed by the animal health officer or assistant animal health officer if the owner's horse's name is placed on the bleeder list. Each horse' name shall be removed from the bleeder list only by the animal health officer or assistant animal health officer who shall notify the stewards in writing of the reason for removal.

(c) Each bleeder list shall be current and shall be posted in the racing secretary's office.

(d) Each horse that has a bleeder certificate and is racing after the administration of furosemide shall be subject to the following restrictions:

(1) The first time a horse is observed bleeding, its name shall be placed on the bleeder list, and it shall remain there for 10 days or until the animal health officer or assistant animal health officer removes it;

(2) the second time a horse is observed bleeding, its name shall be placed on the bleeder list, and it shall remain there for 28 days or until the animal health officer or assistant animal health officer removes it; and

(continued)

(3) the third time a horse is observed bleeding, the horse shall be barred from parimutuel racing in Kansas. (Authorized by K.S.A. 1991 Supp. 74-8804, as amended by L. 1992, Ch. 27, Sec. 3, and L. 1992, Ch. 286, Sec. 2; implementing K.S.A. 1991 Supp. 74-8806, 74-8811; effective, T-112-3-31-89, March 31, 1989; effective June 26, 1989; amended, T-112-8-13-92, Aug. 13, 1992; amended, T-112-12-10-92, Dec. 10, 1992.)

112-10-8. Testing. (a) The stewards may require any horse entered in a race to submit to a blood test or other pre-race test. No horse shall be eligible to start in a race until the owner or trainer complies with the required test procedure.

(b) A blood, urine or other sample shall be taken from the winner of each race and from each other horse designated by the stewards.

(c) Each blood, urine or other sample specimen shall be taken under the supervision of the animal health officer or assistant animal health officer. Each sample shall be taken in the test barn unless approved otherwise by the animal health officer or assistant animal health officer.

(d) After each horse enters the test barn, it shall be cooled out for a minimum of 30 minutes before the sample is taken.

(e) Each trainer, or authorized representative of the trainer, shall witness and confirm the taking of test samples and shall sign the confirmation card.

(f) A trainer or owner may waive the right to witness the collection of a test sample from a racing animal if the trainer's authorized representative witnessing the collection of the test sample is less than 18 years of age. The trainer shall execute a voluntary and knowing waiver of the right to witness the collection of the test sample prior to the time of collection. Each trainer waiving the right to witness the collection of a test sample from a racing animal is estopped from later claiming any defect in the process of collecting and identifying the test sample.

(g) When any horse has been in the test barn for more than one and one-half hours, the assistant animal health officer may take a blood sample in lieu of a urine sample and submit the blood plasma from the sample to the test laboratory for testing.

(h) Each test sample shall remain in the custody of the animal health officer or assistant animal health officer from the time it is secured until it is delivered for shipment to the test laboratory.

(i) No person shall tamper with, adulterate, add to, break the seal of, remove or otherwise attempt to alter or violate any test sample taken, except that preservatives or additives necessary for analysis of the sample may be added by the commission-approved test laboratory.

(j) The commission may direct the test laboratory or the animal health officer and assistant animal health officer to retain and preserve test samples for future analysis.

(k) The fact that purse money has been paid before the issuance of a laboratory report shall not be deemed a finding that no prohibited substance has been administered to the horse earning the purse money in violation of these racing regulations. (Authorized by K.S.A. 1991 Supp. 74-8804, as amended by L. 1992, Ch. 27, Sec. 3, and L. 1992, Ch. 286, Sec. 2; imple-

menting K.S.A. 1991 Supp. 74-8806, 74-8810, as amended by L. 1992, Ch. 27, Sec. 4, and L. 1992, Ch. 286, Sec. 3, and 74-8811; effective, T-112-3-31-89, March 31, 1989; effective June 26, 1989; amended, T-112-8-13-92, Aug. 13, 1992; amended, T-112-12-10-92, Dec. 10, 1992.)

112-10-9. (Authorized by and implementing K.S.A. 1988 Supp. 74-8811; effective, T-112-3-31-89, March 31, 1989; effective June 26, 1989; revoked, T-112-8-13-92, Aug. 13, 1992; revoked, T-112-12-10-92, Dec. 10, 1992.)

112-10-9a. Split samples. (a) The animal health officer or assistant animal health officer shall determine, based upon the written standards of the official test laboratory, in their sole discretion whether there is sufficient quantity of each test sample to divide it into two portions for testing. If sufficient quantity of urine is not available for a split sample, the assistant health officer shall collect a blood sample for the purpose of providing a sample for the trainer pursuant to this rule.

(b) If a test sample is divided into two portions for testing, no provision of these racing regulations shall prevent the commission or the executive director from ordering both test sample portions to be delivered to the official test laboratory for initial testing.

(c) When the quantity of the test sample permits the splitting of the sample, each first portion shall be submitted by the commission to the official test laboratory for initial testing for prohibited substances.

(d) When the quantity of the test sample permits and when the trainer or owner files a written request with the racing judges for the testing of a split sample, the commission shall submit the second portion of the test sample to a test laboratory approved by the commission. Each written request for the testing of a split sample shall be filed in the commission office at the racetrack facility within 48 hours after the trainer or owner receives notice of a positive report on a test sample taken from the horse.

(e) Each person who requests testing of the second portion of a sample shall pay all costs for the transportation and testing of the sample.

(f) The freezing, storage and safeguarding of each portion of a test sample shall remain the responsibility of the animal health officer and the assistant animal health officer.

(g) The test results on the second portion of a sample shall not prevent disqualification of the horse. The results of the first test are prima facie evidence that the horse competed with the drug or medication in its system.

(h) No provision of these racing regulations shall create vested procedural rights that may be relied upon by any licensee for the purpose of excluding testing evidence that is competent and probative. (Authorized by K.S.A. 1991 Supp. 74-8804, as amended by L. 1992, Ch. 27, Sec. 3, and L. 1992, Ch. 286, Sec. 2; implementing K.S.A. 1991 Supp. 74-8811; effective, T-112-8-13-92, Aug. 13, 1992; effective, T-112-12-10-92, Dec. 10, 1992.)

112-10-12. Postmortem examination. (a) Each racing horse that dies or suffers a breakdown while training or racing at a racetrack facility and is destroyed shall undergo a postmortem examination. Each post-

mortem examination shall be sufficiently comprehensive to identify the injury or medical condition causing the death and shall be conducted at a time and place approved by the assistant animal health officer.

(b) The assistant animal health officer may require any other horse that dies at a racetrack facility to undergo a postmortem examination.

(c) Each postmortem examination shall be conducted by a practicing veterinarian employed by the owner or trainer.

(d) The assistant animal health officer may attend the postmortem examination.

(e) The assistant animal health officer may secure test samples, including tissue and other specimens during the postmortem examination and, if secured, shall send them to the official test laboratory or a diagnostic laboratory for testing and consultation. When practical, the assistant animal health officer shall secure the test samples for the detection of prohibited substances before the horse is destroyed.

(f) Each owner shall pay the expenses of the practicing veterinarian employed by the owner or trainer to conduct the postmortem examination.

(g) Each practicing veterinarian shall file a report detailing each postmortem examination on a form approved by the animal health officer with the assistant animal health officer within 72 hours of the horse's death. Each owner of a horse upon which a postmortem examination is conducted shall receive a copy of the report upon request.

(h) Each owner and trainer shall comply with each provision for postmortem examination contained in these racing regulations as a condition of the owner's and trainer's occupation license. (Authorized by K.S.A. 1991 Supp. 74-8804, as amended by L. 1992, Ch. 27, Sec. 3, and L. 1992, Ch. 286, Sec. 2; implementing K.S.A. 1991 Supp. 74-8804, as amended by L. 1992, Ch. 27, Sec. 3, and L. 1992, Ch. 286, Sec. 2, and 74-8806; effective, T-112-3-31-89, March 31, 1989; effective June 26, 1989; amended, T-112-8-13-92, Aug. 13, 1992; amended, T-112-12-10-92, Dec. 10, 1992.)

112-10-32. Assistant animal health officers, greyhound. (a) Each assistant animal health officer employed by the commission shall be licensed to practice veterinary medicine in the state of Kansas.

(b) No assistant animal health officer shall treat or prescribe medication for any greyhound located at a racetrack facility or registered to race at a racetrack facility except in an emergency. Each assistant animal health officer who treats or prescribes medication for a greyhound in an emergency shall promptly file a complete report of the circumstances and veterinary procedure with the racing judges and the animal health officer.

(c) No kennel owner or trainer shall employ or pay any compensation to an assistant animal health officer, directly or indirectly, while the assistant animal health officer is functioning in that capacity at the racetrack as an employee of the commission.

(d) An assistant animal health officer shall:

(1) Supervise practicing veterinarians at the racetrack facility and recommend to the racing judges or the commission the discipline to be imposed upon each practicing veterinarian who violates commission regulations;

(2) place any greyhound on the veterinarian's list where it shall remain a minimum of three calendar days when in an assistant animal health officer's discretion the placement is proper;

(3) remove any greyhound from the veterinarian's list when in an assistant animal health officer's discretion the removal is proper. No greyhound shall be entered in a race before its name is removed from the veterinarian's list;

(4) establish a procedure for, supervise the collection of and maintain identification records for urine, blood or other specimens from greyhounds, as designated by an assistant animal health officer, the racing judges or the commission.

(5) supervise the procedure for witnessing, sealing and delivering each test specimen to the official test laboratory;

(6) report immediately to the animal health officer the name, tattoo number and reason for death of each greyhound that dies or is euthanized at a racetrack facility;

(7) with the permission of the racing judge, scratch each greyhound determined not sound to race at any time before the greyhound enters the starting box;

(8) treat or euthanize any greyhound that is so seriously injured that an assistant animal health officer believes the action is necessary. Each kennel owner or trainer at a racetrack facility shall execute and deliver a written waiver and consent to an assistant animal health officer before the greyhound is treated or euthanized; and

(9) perform other duties prescribed by the animal health officer, the racing judges or the commission. (Authorized by K.S.A. 1991 Supp. 74-8804, as amended by L. 1992, Ch. 27, Sec. 3, and L. 1992, Ch. 286, Sec. 2; implementing K.S.A. 1991 Supp. 74-8806, 74-8810, as amended by L. 1992, Ch. 27, Sec. 4, and L. 1992, Ch. 286, Sec. 3; effective, T-112-8-22-89, Aug. 28, 1989; effective Oct. 9, 1989; amended, T-112-8-13-92, Aug. 13, 1992; amended, T-112-12-10-92, Dec. 10, 1992.)

112-10-33. Practicing veterinarians, greyhound. (a) Each practicing veterinarian at a racetrack facility shall be licensed to practice veterinary medicine in the state of Kansas and shall secure an occupation license in accordance with the Kansas parimutuel racing act and commission regulations. Before an occupation license issues, each practicing veterinarian shall meet with the animal health officer to verify that the practicing veterinarian has reviewed these racing regulations and is informed about existing medication practice.

(b) Each practicing veterinarian at a racetrack facility who treats a greyhound for any contagious or communicable disease shall report the fact immediately in writing to the animal health officer or assistant animal health officers on a form approved by the animal health officer.

(c) No practicing veterinarian who treats a greyhound at a racetrack facility shall wager on the outcome of any race in which the treated greyhound starts.

(d) Each practicing veterinarian shall comply with the rules and standards of the Kansas board of veterinary examiners.

(continued)

(e) Each drug or medication at a racetrack facility shall be in a container bearing a veterinarian's prescription or in the original container bearing the manufacturer's label with the serial or lot number. Each practicing veterinarian shall use only disposable syringes and needles to medicate greyhounds. No veterinarian shall abandon a drug or medication or equipment for administering the drug or medication. All equipment for administering the drug or medication shall be destroyed before it is discarded. All drugs, medications or equipment shall be disposed of in a manner which is environmentally safe.

(f) Only a veterinarian employed by or licensed by the commission may possess procaine on a racetrack facility. (Authorized by K.S.A. 1991 Supp. 74-8804, as amended by L. 1992, Ch. 27, Sec. 3, and L. 1992, Ch. 286, Sec. 2; implementing K.S.A. 1991 Supp. 74-8810, as amended by L. 1992, Ch. 27, Sec. 4, and L. 1992, Ch. 286, Sec. 3, and 74-8816, as amended by L. 1992, Ch. 286, Sec. 8; effective, T-112-8-22-89, Aug. 22, 1989; effective Oct. 9, 1989; amended, T-112-8-13-92, Aug. 13, 1992; amended, T-112-12-10-92, Dec. 10, 1992.)

112-10-35. Testing. (a) Each racing greyhound entered in a race may be submitted to a urine, blood or other pre-race test. No greyhound shall be eligible to start in a race until the owner or trainer complies with any required test procedure.

(b) A blood, urine or other test sample shall be taken under the supervision of the animal health officer or assistant animal health officer from the winner of every race and from any other greyhound designated by the racing judges.

(c) Each test sample shall be taken in a collection area or in the paddock area unless otherwise approved by the animal health officer or assistant animal health officer.

(d) Each trainer, kennel owner or authorized representative of the trainer or kennel owner may witness and confirm the taking of each test sample. Each trainer, kennel owner and authorized representative witnessing the collection shall sign the confirmation card.

(e) A trainer or kennel owner may waive the right to witness the collection of a test sample from a racing animal if the trainer's authorized representative witnessing the collection of the test sample is less than 18 years of age. The trainer shall execute a voluntary and knowing waiver of the right to witness the collection of the test sample prior to the time of collection. Each trainer waiving the right to witness the collection of a test sample from a racing animal is estopped from later claiming any defect in the process of collecting and identifying the test sample.

(f) If a urine sample is not obtained within a reasonable time, the assistant animal health officer may take a blood sample from the brachiocephalic vein in lieu of a urine sample and submit the blood plasma from the blood sample to the official test laboratory for testing.

(g) Each test sample shall remain in the custody of the animal health officer or assistant animal health officer from the time it is taken until it is delivered for shipment to the official test laboratory.

(h) No person shall tamper with, adulterate, add to, break the seal of, remove or otherwise attempt to alter or violate any test sample taken.

(i) The commission may direct the official test laboratory or the animal health officer and assistant animal health officer to retain and preserve test samples for future analysis.

(j) The payment of purse money prior to the issuance of an official test laboratory report shall not constitute a finding that no prohibited substance has been administered in violation of these racing regulations to the greyhound earning the purse money. (Authorized by K.S.A. 1991 Supp. 74-8804, as amended by L. 1992, Ch. 27, Sec. 3, and L. 1992, Ch. 286, Sec. 2; implementing K.S.A. 1991 Supp. 74-8806, 74-8810, as amended by L. 1992, Ch. 27, Sec. 4, and L. 1992, Ch. 286, Sec. 3, and 74-8811; effective, T-112-8-22-89, Aug. 22, 1989; effective Oct. 9, 1989; amended March 25, 1991; amended, T-112-8-13-92, Aug. 13, 1992; amended, T-112-12-10-92, Dec. 10, 1992.)

112-10-37. Postmortem examination. (a) An assistant animal health officer may order a postmortem examination for each greyhound that dies at a racetrack facility.

(b) The postmortem examination shall be conducted by a practicing veterinarian employed by the kennel owner or by the School for Veterinary Medicine at Kansas State University.

(c) The assistant animal health officer may attend the postmortem examination.

(d) The assistant animal health officer may secure test samples, including tissue and other specimens during the postmortem examination. If secured, the assistant animal health officer shall send the samples to the official test laboratory or a diagnostic laboratory for testing and consultation. When practical, the assistant animal health officer shall secure the test samples for the detection of prohibited substances before the greyhound is euthanized.

(e) Each kennel owner shall pay the expenses of the practicing veterinarian employed by the kennel owner to conduct the postmortem examination.

(f) Each kennel owner and trainer shall comply with each provision for postmortem examination contained in these racing regulations as a condition of the kennel owner's and trainer's license. (Authorized by K.S.A. 1991 Supp. 74-8804, as amended by L. 1992, Ch. 27, Sec. 3, and L. 1992, Ch. 286, Sec. 2; implementing K.S.A. 74-8804, as amended by L. 1992, Ch. 27, Sec. 3, and L. 1992, Ch. 286, Sec. 2, and 74-8806; effective, T-112-8-22-89, Aug. 22, 1989; effective Oct. 9, 1989; amended, T-112-8-13-92, Aug. 13, 1992; amended, T-112-12-10-92, Dec. 10, 1992.)

Article 11.—SECURITY AND SAFETY

112-11-13. (Authorized by K.S.A. 1987 Supp. 74-8804, as amended by L. 1988, Ch. 315, Sec. 3, and implementing K.S.A. 1987 Supp. 74-8804, as amended by L. 1988, Ch. 315, Sec. 3; K.S.A. 1987 Supp. 74-8816, as amended by L. 1988, Ch. 316, Sec. 4; effective, T-112-2-23-89, Feb. 23, 1989; effective June 19, 1989; re-

voked, T-112-8-13-92, Aug. 13, 1992; revoked, T-112-12-10-90, Dec. 10, 1992.)

112-11-13a. Controlled substance and alcohol testing. (a) If directed by a steward, racing judge, the executive director, or a commission employee with law enforcement powers under K.S.A. 1991 Supp. 74-8807, and upon reasonable suspicion of intoxication or impairment which actively engaged in employment, each occupation licensee whose work may involve health or safety of the licensee, other licensees or racing animals shall submit to a breath or a urine test, or both. Each occupation licensee shall not have a blood alcohol content of .05 percent or more. No occupation licensee's urine test shall indicate the presence of any controlled substance as defined by K.S.A. 1991 Supp. 65-4101.

(b) Each licensee whose breath test indicates a blood alcohol content of .05 percent or more shall be suspended by the stewards or racing judges in accordance with the provisions of K.S.A. 1991 Supp. 74-8816(h).

(c) Each licensee whose urine test indicates the presence of a controlled substance shall be suspended by the stewards or racing judges in accordance with the provisions of K.S.A. 1991 Supp. 74-8916(h).

(d) Each licensee who refuses to submit to a breath or urine test, or both, shall be suspended by the stewards or racing judges in accordance with the provisions of K.S.A. 1991 Supp. 74-8816(h).

(e) Suspensions authorized by this regulation shall not be subject to the stay provisions of K.A.R. 112-16-11.

(f) Information elicited in the process of breath or urine testing shall be treated as confidential, except as necessary for any administrative or judicial proceeding. (Authorized by and implementing K.S.A. 1991 Supp. 74-8804, as amended by L. 1992, Ch. 27, Sec. 3, and L. 1992, Ch. 286, Sec. 2; effective, T-112-8-13-92, Aug. 13, 1992; effective, T-112-12-10-92, Dec. 10, 1992.)

Dana Nelson
Executive Director

Doc. No. 012868

INDEX TO ADMINISTRATIVE REGULATIONS

This index lists in numerical order the new, amended and revoked administrative regulations and the volume and page number of the *Kansas Register* issue in which more information can be found. This cumulative index supplements the index found in the 1991 Supplement to the *Kansas Administrative Regulations*.

AGENCY 1: DEPARTMENT OF ADMINISTRATION

Reg. No.	Action	Register
1-2-30	New	V. 11, p. 278
1-2-34	New	V. 11, p. 1016
1-2-81	Revoked	V. 11, p. 278
1-5-15	Amended	V. 10, p. 1688
1-5-27	Revoked	V. 10, p. 1688
1-5-28	Amended	V. 10, p. 1688
1-5-30	Amended	V. 10, p. 1689
1-6-2	Amended	V. 11, p. 278
1-6-29	Amended	V. 10, p. 1689
1-6-31	Amended	V. 11, p. 1016
1-6-32	Amended	V. 11, p. 278
1-8-7	Amended	V. 11, p. 1017
1-9-4	Amended	V. 11, p. 1017
1-9-5	Amended	V. 11, p. 1019
1-9-7a	Amended	V. 10, p. 382, 760
1-9-13	Amended	V. 11, p. 1020
1-9-18	Amended	V. 11, p. 1020
1-9-19a	Amended	V. 11, p. 279
1-9-21	Amended	V. 10, p. 1692
1-9-23	New	V. 11, p. 1194, 1257
1-16-18	Amended	V. 10, p. 1470, 1497

1-17-1	Amended	V. 10, p. 1471
1-17-2	Amended	V. 10, p. 1471
1-17-2a	Amended	V. 10, p. 1471
1-45-14	New	V. 11, p. 1195
1-45-16	Amended	V. 10, p. 1692
1-46-1	Amended	V. 11, p. 1195
1-46-3	Amended	V. 11, p. 1195
1-49-1	Amended	V. 10, p. 1472

AGENCY 4: BOARD OF AGRICULTURE

Reg. No.	Action	Register
4-3-47	Amended	V. 10, p. 1319
4-3-49	Amended	V. 10, p. 1319
4-4-900	Amended	V. 11, p. 1895
4-4-923	Amended	V. 11, p. 1895
4-4-924	Amended	V. 11, p. 1895
4-4-931	Amended	V. 11, p. 1896
4-4-932	Amended	V. 11, p. 1896
4-4-933	Amended	V. 11, p. 1896
4-4-934	Amended	V. 11, p. 1897
4-4-935	Amended	V. 11, p. 1897
4-4-956	New	V. 11, p. 1897
4-7-2	Amended	V. 10, p. 1319
4-7-510	Amended	V. 10, p. 1319
4-7-513	Amended	V. 10, p. 1319
4-7-530	New	V. 10, p. 1319
4-7-531	New	V. 10, p. 1319
4-7-532	New	V. 10, p. 1319
4-7-533	New	V. 10, p. 1320
4-7-716	Amended	V. 11, p. 555
4-7-717	Amended	V. 10, p. 1320
4-7-719	Amended	V. 11, p. 63
4-7-722	Amended	V. 10, p. 1320
4-8-14	Revoked	V. 10, p. 1320
4-8-14a	Amended	V. 11, p. 1898
4-8-27	Amended	V. 11, p. 555
4-8-28	New	V. 11, p. 1898
4-8-30	Amended	V. 10, p. 1321
4-8-33	New	V. 11, p. 1898
4-8-39	Amended	V. 10, p. 1321

4-8-40	Amended	V. 11, p. 1898
4-8-41	New	V. 11, p. 555
4-10-1	Amended	V. 11, p. 1898
4-13-28	New	V. 10, p. 1321
4-13-36	Amended	V. 11, p. 1899
4-13-38	Amended	V. 11, p. 1899
4-13-41	Amended	V. 11, p. 1900
4-13-42	Amended	V. 11, p. 1900
4-13-62	Amended	V. 11, p. 1900
4-13-63	Amended	V. 11, p. 1901
4-15-2	Amended	V. 11, p. 555
4-16-1a	Amended	V. 11, p. 1901
4-16-1c	Amended	V. 11, p. 1901
4-16-7a	Amended	V. 11, p. 1901
4-16-300 through 4-16-305	New	V. 11, p. 556, 557
4-17-1a	Amended	V. 11, p. 1901
4-17-1c	Amended	V. 11, p. 1902
4-17-5a	Amended	V. 11, p. 1902
4-17-300 through 4-17-305	New	V. 11, p. 557, 558
4-33-1	Amended	V. 10, p. 1315, 1321
4-33-2	New	V. 10, p. 1315, 1321

AGENCY 5: BOARD OF AGRICULTURE—DIVISION OF WATER RESOURCES

Reg. No.	Action	Register
5-23-3	Amended	V. 10, p. 1194
5-23-4a	New	V. 10, p. 1195
5-24-2	Amended	V. 10, p. 976
5-24-5	Amended	V. 10, p. 977
5-40-1	Amended	V. 11, p. 15, 40
5-42-1	Amended	V. 11, p. 40, 361
5-42-3	Amended	V. 11, p. 361
5-44-1 through 5-44-6	New	V. 11, p. 15-17, 40-42

(continued)

5-45-1 through 5-45-4	Amended	V. 11, p. 42-44, 361-363
5-45-6	Amended	V. 11, p. 44, 363
5-45-7	Amended	V. 11, p. 44, 363
5-45-12	Amended	V. 11, p. 44, 363
5-45-13	Amended	V. 11, p. 45, 364
5-45-14 through 5-45-17	New	V. 11, p. 45, 364, 365

AGENCY 7: SECRETARY OF STATE

Reg. No.	Action	Register
7-23-8	New	V. 11, p. 1257, 1296
7-29-1	Amended	V. 11, p. 1369, 1423
7-30-1	Amended	V. 10, p. 728
7-32-1	Amended	V. 11, p. 1117, 1143
7-32-2	New	V. 10, p. 728

AGENCY 9: ANIMAL HEALTH
DEPARTMENT

Reg. No.	Action	Register
9-13-1 through 9-13-3	Revoked	V. 10, p. 1821, 1822
9-13-4	Revoked	V. 10, p. 257
9-18-1	Amended	V. 10, p. 1822
9-19-1 through 9-19-11	New	V. 10, p. 1822-1827
9-20-1	New	V. 10, p. 1827
9-20-2	New	V. 10, p. 1828
9-20-3	New	V. 10, p. 1828
9-21-1	New	V. 10, p. 1828
9-21-2	New	V. 10, p. 1829
9-21-3	New	V. 10, p. 1829
9-22-1	New	V. 10, p. 1829
9-22-2	New	V. 10, p. 1830
9-22-3	New	V. 10, p. 1830
9-23-1	New	V. 10, p. 1830
9-23-2	New	V. 10, p. 1831
9-23-3	New	V. 10, p. 1831
9-24-1	New	V. 10, p. 1831
9-24-2	New	V. 10, p. 1832
9-24-3	New	V. 10, p. 1832

AGENCY 14: DEPARTMENT OF REVENUE—
DIVISION OF ALCOHOLIC
BEVERAGE CONTROL

Reg. No.	Action	Register
14-10-5	Amended	V. 11, p. 1929
14-10-10	Amended	V. 11, p. 1930
14-10-11	Amended	V. 11, p. 1930
14-10-12	Amended	V. 11, p. 1931
14-13-1	Amended	V. 11, p. 1931
14-13-2	Amended	V. 11, p. 1932
14-13-13	Amended	V. 11, p. 1933
14-14-1	Amended	V. 11, p. 1934
14-14-11	Amended	V. 11, p. 1711
14-16-20	Revoked	V. 11, p. 1041
14-19-14	Amended	V. 11, p. 1935
14-19-15	Amended	V. 11, p. 1936
14-19-24	Amended	V. 10, p. 689
14-19-36	Amended	V. 10, p. 689
14-20-14	Amended	V. 11, p. 1937
14-20-15	Amended	V. 11, p. 1938
14-20-16	Amended	V. 11, p. 1938
14-20-25	Amended	V. 10, p. 689
14-20-26	Amended	V. 10, p. 690
14-21-1	Amended	V. 11, p. 1939
14-21-2	Amended	V. 11, p. 1940
14-21-3	Amended	V. 11, p. 1941
14-21-9	Amended	V. 10, p. 690
14-22-1	Amended	V. 11, p. 1941
14-22-2	Amended	V. 11, p. 1942
14-22-3	Amended	V. 11, p. 1943
14-22-6	Amended	V. 10, p. 690
14-22-9	Amended	V. 10, p. 691
14-23-4	Amended	V. 10, p. 691

AGENCY 17: STATE BANKING
DEPARTMENT

Reg. No.	Action	Register
17-11-17	Amended	V. 10, p. 1768
17-11-18	Amended	V. 10, p. 1768
17-11-21	Amended	V. 11, p. 1903

17-12-1	Amended	V. 10, p. 1768
17-12-2	Amended	V. 10, p. 1769
17-14-1	Amended	V. 10, p. 1769
17-15-1	Amended	V. 10, p. 1769
17-16-1	Amended	V. 10, p. 1772
17-16-2	Amended	V. 10, p. 1772
17-16-3	Amended	V. 10, p. 1772
17-16-5	Amended	V. 10, p. 1773
17-16-6	Amended	V. 10, p. 1773
17-16-8	Amended	V. 10, p. 1773
17-16-9	Amended	V. 10, p. 1773
17-18-4	Amended	V. 10, p. 1773
17-20-1	New	V. 10, p. 1773
17-21-1 through 17-21-8	New	v. 11, 1040
17-22-1	New	V. 11, p. 1371

AGENCY 19: KANSAS COMMISSION
ON GOVERNMENTAL STANDARDS
AND CONDUCT

Reg. No.	Action	Register
19-1-1	Amended	V. 11, p. 714
19-1-11	Amended	V. 11, p. 714
19-3-2	Amended	V. 11, p. 714
19-4-2	Amended	V. 11, p. 715
19-20-2	Amended	V. 11, p. 715
19-27-2	Amended	V. 11, p. 715
19-29-2	Amended	V. 11, p. 716
19-29-4	Amended	V. 11, p. 717
19-29-5	New	V. 11, p. 717
19-30-4	Amended	V. 11, p. 717
19-40-3a	Amended	V. 11, p. 718
19-40-4	New	V. 11, p. 1369
19-40-5	New	V. 11, p. 718
19-41-1	Amended	V. 11, p. 718
19-60-3	Amended	V. 11, p. 719
19-61-1	Amended	V. 11, p. 720
19-61-2	Amended	V. 11, p. 720
19-61-3	Revoked	V. 11, p. 720
19-62-1	Amended	V. 11, p. 721
19-62-2	Amended	V. 11, p. 721
19-63-2	Amended	V. 11, p. 721
19-63-3	Amended	V. 11, p. 721
19-63-4	Amended	V. 11, p. 722
19-63-6	New	V. 11, p. 722

AGENCY 21: KANSAS HUMAN
RIGHTS COMMISSION

Reg. No.	Action	Register
21-34-1 through 21-34-21	New	V. 11, p. 357-360
21-34-1 through 21-34-21	New	V. 11, p. 504-507
21-60-1 through 21-60-23	New	V. 11, p. 1084-1091, 1153-1160
21-80-1 through 21-80-10	New	V. 11, p. 1764-1766

AGENCY 23: DEPARTMENT OF
WILDLIFE AND PARKS

Reg. No.	Action	Register
23-3-16	Revoked	V. 10, p. 916
23-8-24	Revoked	V. 10, p. 916
23-12-1	Revoked	V. 10, p. 916
23-12-8	Revoked	V. 10, p. 916
23-12-11	Revoked	V. 10, p. 917
23-21-1 through 23-21-14	Revoked	V. 10, p. 1441

AGENCY 25: STATE GRAIN
INSPECTION DEPARTMENT

Reg. No.	Action	Register
25-2-2	Revoked	V. 11, p. 1742
25-2-5	Revoked	V. 11, p. 1742
25-4-1	Amended	V. 11, p. 1643, 1702
25-4-4	Amended	V. 11, p. 164

Reg. No.	Action	Register
26-8-1 through 26-8-14	New	V. 11, p. 1041-1043

AGENCY 28: DEPARTMENT OF HEALTH
AND ENVIRONMENT

Reg. No.	Action	Register
28-4-405	Amended	V. 10, p. 257
28-4-530	New	V. 10, p. 1246
28-4-531	New	V. 10, p. 1246
28-14-2	Amended	V. 11, p. 1797
28-15-11	Amended	V. 11, p. 1231
28-15-13	Amended	V. 11, p. 1232
28-15-14	Amended	V. 11, p. 1233
28-15-15	Revoked	V. 11, p. 1236
28-15-15a	New	V. 11, p. 1236
28-15-20	Amended	V. 11, p. 1237
28-16-29	Revoked	V. 11, p. 1260
28-16-30 through 28-16-36	New	V. 11, p. 1260, 1261
28-17-6	Amended	V. 11, p. 1543, 1584
28-17-12	Amended	V. 11, p. 1543, 1584
28-17-20	Amended	V. 11, p. 1543, 1584
28-19-17	Amended	V. 11, p. 608
28-19-17a through 28-19-17i	Amended	V. 11, p. 608, 609
28-19-17m through 28-19-17q	New	V. 11, p. 609, 610
28-19-19	Amended	V. 11, p. 610
28-19-61	Amended	V. 10, p. 1246
28-19-62	Amended	V. 10, p. 1250
28-19-73	Amended	V. 11, p. 612
28-19-76	New	V. 10, p. 1251
28-19-77	New	V. 10, p. 1252
28-19-78	New	V. 10, p. 1254
28-24-1	New	V. 11, p. 1798
28-24-2	New	V. 11, p. 1798
28-24-4 through 28-24-16	New	V. 11, p. 1798-1800
28-29-36 through 28-29-36	New	V. 11, p. 614-620, 758-764
28-31-8a	Revoked	V. 11, p. 232
28-31-10a	New	V. 11, p. 232
28-35-147	Amended	V. 11, p. 130
28-36-30	Amended	V. 10, p. 1655
28-39-77	Amended	V. 10, p. 1655
28-53-1 through 28-53-5	New	V. 10, p. 199
28-53-1	Amended	V. 11, p. 846
28-53-2	Amended	V. 11, p. 846
28-59-1 through 28-59-8	New	V. 10, p. 111-113
28-59-7	Amended	V. 11, p. 1643
28-61-1 through 28-61-10	New	V. 11, p. 1743-1748

AGENCY 30: SOCIAL AND
REHABILITATION SERVICES

Reg. No.	Action	Register
30-2-16	Amended	V. 11, p. 1295
30-4-34	Amended	V. 10, p. 956
30-4-41	Amended	V. 10, p. 1648
30-4-52	Amended	V. 11, p. 1749
30-4-55	Amended	V. 11, p. 1750
30-4-63	Amended	V. 10, p. 1353
30-4-64	Amended	V. 10, p. 1355
30-4-72	Amended	V. 11, p. 1010, 1044
30-4-73	Amended	V. 11, p. 1262
30-4-90	Amended	V. 11, p. 1750
30-4-101	Amended	V. 11, p. 1011, 1045
30-4-109	Amended	V. 11, p. 1263
30-4-111	Amended	V. 10, p. 341
30-4-112	Amended	V. 11, p. 1263
30-4-113	Amended	V. 10, p. 693
30-4-120	Amended	V. 10, p. 343
30-4-130	Amended	V. 10, p. 961

30-4-140	Amended	V. 11, p. 365
30-5-58	Amended	V. 11, p. 984
30-5-59	Amended	V. 11, p. 371
30-5-64	Amended	V. 11, p. 372
30-5-65	Amended	V. 11, p. 372
30-5-70	Amended	V. 11, p. 1480
30-5-71	Amended	V. 11, p. 1751
30-5-77	Amended	V. 10, p. 1291
30-5-78	New	V. 10, p. 1364
30-5-79	New	V. 11, p. 989
30-5-80	New	V. 10, p. 699
30-5-81	Amended	V. 11, p. 1752
30-5-86	Amended	V. 10, p. 700
30-5-88	Amended	V. 10, p. 344
30-5-92	Amended	V. 10, p. 345
30-5-94	Amended	V. 11, p. 205
30-5-95	Amended	V. 11, p. 1752
30-5-100	Amended	V. 11, p. 1752
30-5-100a	Amended	V. 10, p. 1365
30-5-101	Amended	V. 10, p. 1365
30-5-103	Amended	V. 10, p. 701
30-5-104	Amended	V. 11, p. 373
30-5-110	Amended	V. 10, p. 963
30-5-112	Amended	V. 10, p. 963
30-5-113	Amended	V. 11, p. 1265
30-5-114	Amended	V. 10, p. 963
30-5-115	Amended	V. 10, p. 1496, 1649
30-5-116	Amended	V. 10, p. 1496, 1649
30-5-116a	Amended	V. 11, p. 1753
30-5-151	Amended	V. 10, p. 963
30-5-152	Amended	V. 10, p. 963
30-5-154	Amended	V. 10, p. 964
30-5-156	Amended	V. 11, p. 1753
30-5-157	Amended	V. 11, p. 1753
30-5-159	Amended	V. 10, p. 964
30-5-160	Amended	V. 10, p. 964
30-5-161	Amended	V. 10, p. 964
30-5-162	Amended	V. 10, p. 964
30-5-163	Amended	V. 10, p. 964
30-5-164	Amended	V. 10, p. 964
30-5-166	Amended	V. 10, p. 964
30-5-167	Amended	V. 10, p. 964
30-5-168	Amended	V. 11, p. 1753
30-5-169	Amended	V. 10, p. 965
30-5-170	Amended	V. 11, p. 1753
30-5-171	Revoked	V. 11, p. 1753
30-5-173	New	V. 11, p. 1753
30-5-173a	New	V. 11, p. 1753
30-6-52	Amended	V. 11, p. 1753
30-6-53	Amended	V. 11, p. 1754
30-6-55	Amended	V. 11, p. 374
30-6-56	Amended	V. 11, p. 1755
30-6-65	Amended	V. 10, p. 1650
30-6-72	Amended	V. 11, p. 1012, 1046
30-6-73	Amended	V. 11, p. 1265
30-6-74	Revoked	V. 10, p. 1366
30-6-77	Amended	V. 10, p. 701
30-6-82	New	V. 10, p. 702
30-6-86	Amended	V. 11, p. 1756
30-6-94	New	V. 10, p. 1651
30-6-103	Amended	V. 11, p. 1757
30-6-106	Amended	V. 11, p. 1757
30-6-107	Amended	V. 10, p. 705
30-6-109	Amended	V. 11, p. 1268
30-6-111	Amended	V. 10, p. 351
30-6-112	Amended	V. 11, p. 1269
30-6-113	Amended	V. 11, p. 1760
30-6-150	Amended	V. 11, p. 1761
30-7-65	Amended	V. 10, p. 707
30-7-75	Amended	V. 10, p. 708
30-7-76	Amended	V. 10, p. 1654
30-7-77	Amended	V. 10, p. 1655
30-7-78	Amended	V. 10, p. 1655
30-7-100	through	
30-7-104	New	V. 11, p. 990-992
30-9-13	Revoked	V. 11, p. 992
30-9-18	through	
30-9-22	Revoked	V. 11, p. 992
30-10-1a	Amended	V. 11, p. 1481
30-10-1b	Amended	V. 11, p. 1483
30-10-1c	Amended	V. 11, p. 1484
30-10-2	Amended	V. 11, p. 1484
30-10-3	Revoked	V. 11, p. 1485
30-10-4	Revoked	V. 11, p. 1485

30-10-6	Amended	V. 11, p. 1761
30-10-7	Amended	V. 11, p. 1761
30-10-8	Revoked	V. 11, p. 1485
30-10-11	Amended	V. 11, p. 1762
30-10-15a	Amended	V. 11, p. 1485
30-10-15b	Amended	V. 11, p. 1486
30-10-16	Revoked	V. 10, p. 709
30-10-17	Amended	V. 11, p. 1487
30-10-18	Amended	V. 11, p. 1488
30-10-19	Amended	V. 11, p. 1490
30-10-20	Amended	V. 11, p. 1490
30-10-23a	Amended	V. 11, p. 1490
30-10-23b	Amended	V. 11, p. 1491
30-10-23c	Amended	V. 11, p. 1491
30-10-24	Amended	V. 10, p. 1377
30-10-25	Amended	V. 11, p. 1492
30-10-27	Amended	V. 10, p. 1379
30-10-28	Amended	V. 11, p. 1493
30-10-29	Amended	V. 11, p. 1493
30-10-30	Revoked	V. 10, p. 355
30-10-200	Amended	V. 11, p. 207
30-10-207	Amended	V. 10, p. 1200
30-10-208	Amended	V. 10, p. 1200
30-10-210	through	
30-10-226	New	V. 10, p. 48-57
30-10-210	Amended	V. 11, p. 209
30-10-211	Amended	V. 10, p. 1203
30-10-212	Amended	V. 11, p. 210
30-10-213	Amended	V. 10, p. 1204
30-10-214	Amended	V. 11, p. 1270
30-10-215	Amended	V. 10, p. 1206
30-10-217	Amended	V. 11, p. 210
30-10-218	Amended	V. 10, p. 1207
30-10-219	Amended	V. 11, p. 211
30-10-220	Amended	V. 10, p. 1208
30-10-221	Amended	V. 10, p. 1208
30-10-226	Revoked	V. 10, p. 1209
30-22-1	Amended	V. 10, p. 1380
30-22-2	Amended	V. 10, p. 1380
30-22-5	Amended	V. 10, p. 1381
30-22-6	Amended	V. 10, p. 1381
30-22-11	through	
30-22-28	Revoked	V. 10, p. 1381
30-41-1	Amended	V. 10, p. 710
30-41-7a	Amended	V. 10, p. 711
30-41-7i	New	V. 10, p. 711
30-41-20	New	V. 10, p. 711
30-46-13	Amended	V. 10, p. 1381
30-46-14	Revoked	V. 10, p. 1381
30-46-15	Amended	V. 10, p. 1381
30-60-1	New	V. 10, p. 1381
30-60-2	New	V. 10, p. 1381
30-60-5	New	V. 10, p. 1382
30-60-6	New	V. 10, p. 1382
30-60-7	New	V. 10, p. 1383
30-60-10	New	V. 10, p. 1383
30-60-11	New	V. 10, p. 1383
30-60-12	New	V. 10, p. 1384
30-60-17	New	V. 10, p. 1384
30-60-18	New	V. 10, p. 1384
30-60-19	New	V. 10, p. 1384
30-60-25	New	V. 10, p. 1385
30-60-26	New	V. 10, p. 1385
30-60-27	New	V. 10, p. 1385
30-60-28	New	V. 10, p. 1386
30-60-40	New	V. 10, p. 1386
30-60-41	New	V. 10, p. 1386
30-60-45	New	V. 10, p. 1386
30-60-46	New	V. 10, p. 1386
30-60-47	New	V. 10, p. 1387
30-60-50	New	V. 10, p. 1387
30-60-55	New	V. 10, p. 1387
30-60-60	New	V. 10, p. 1388
30-60-61	New	V. 10, p. 1389
30-60-62	New	V. 10, p. 1389
30-60-70	New	V. 10, p. 1389
30-60-71	New	V. 10, p. 1390
30-60-72	New	V. 10, p. 1390
30-60-73	New	V. 10, p. 1390
30-60-74	New	V. 10, p. 1390
30-60-75	New	V. 10, p. 1390
30-60-76	New	V. 10, p. 1390
30-61-1	New	V. 10, p. 1391
30-61-2	New	V. 10, p. 1391

30-61-5	New	V. 10, p. 1391
30-61-6	New	V. 10, p. 1391
30-61-10	New	V. 10, p. 1391
30-61-15	New	V. 10, p. 1391
30-61-16	New	V. 10, p. 1392

AGENCY 36: DEPARTMENT OF
TRANSPORTATION

Reg. No.	Action	Register
36-1-1	Amended	V. 10, p. 88
36-1-28	through	
36-1-34	New	V. 10, p. 88-91
36-13-30	through	
36-13-34	Amended	V. 11, p. 657-662
36-13-36	Revoked	V. 11, p. 663
36-13-37	Amended	V. 11, p. 663
36-13-38	New	V. 11, p. 664
36-13-39	New	V. 11, p. 664

AGENCY 40: KANSAS INSURANCE
DEPARTMENT

Reg. No.	Action	Register
40-1-28	Amended	V. 10, p. 1582
40-1-37	Amended	V. 11, p. 1801
40-1-38	New	V. 10, p. 1693
40-2-12	Amended	V. 11, p. 1801
40-2-15	Amended	V. 10, p. 1693
40-2-20	New	V. 10, p. 259, 383
40-2-21	New	V. 10, p. 1583
40-3-22	Amended	V. 10, p. 1693
40-3-46	New	V. 10, p. 381
40-3-47	New	V. 10, p. 381
40-3-48	New	V. 10, p. 1584
40-3-49	New	V. 11, p. 1803
40-4-35	Amended	V. 11, p. 82
40-4-37	Amended	V. 11, p. 1803
40-4-37a	New	V. 11, p. 1804
40-4-37b	New	V. 11, p. 1804
40-4-37c	New	V. 11, p. 1804
40-4-37d	New	V. 11, p. 1586
40-4-37e	New	V. 11, p. 1804
40-4-37f	New	V. 11, p. 1805
40-4-37g	New	V. 11, p. 1805
40-4-37h	New	V. 11, p. 1805
40-4-37i	New	V. 11, p. 1806
40-4-37j	New	V. 11, p. 1807
40-4-37k	New	V. 11, p. 1808
40-4-37l	New	V. 11, p. 1809
40-4-37m	New	V. 11, p. 1810
40-4-37n	New	V. 11, p. 1810
40-4-37o	New	V. 11, p. 1810
40-4-37p	New	V. 11, p. 1810
40-4-37r	New	V. 11, p. 1811
40-4-40	New	V. 11, p. 1811
40-7-7	Amended	V. 11, p. 1811
40-7-7a	New	V. 11, p. 1812
40-7-13	Amended	V. 11, p. 1812
40-7-19	Amended	V. 11, p. 1812
40-8-7	Amended	V. 11, p. 1705
40-9-118	Amended	V. 11, p. 1812
40-14-10	New	V. 11, p. 1586

AGENCY 44: DEPARTMENT OF
CORRECTIONS

Reg. No.	Action	Register
44-6-106	Amended	V. 10, p. 1195
44-6-108	Amended	V. 10, p. 1195
44-6-114c	Amended	V. 10, p. 1196
44-6-120	Amended	V. 11, p. 230
44-6-124	Amended	V. 11, p. 230
44-6-125	Amended	V. 11, p. 231
44-6-126	Amended	V. 10, p. 1197
44-6-133	Amended	V. 10, p. 1197
44-6-134	Amended	V. 10, p. 1197
44-6-135	Amended	V. 11, p. 231
44-6-142	Amended	V. 10, p. 1198
44-7-104	Amended	V. 11, p. 1830
44-7-113	Amended	V. 11, p. 316
44-7-115	New	V. 11, p. 316
44-12-101	Amended	V. 11, p. 316
44-12-102	Amended	V. 11, p. 316
44-12-104	Amended	V. 11, p. 316
44-12-105	Amended	V. 11, p. 317

(continued)

44-12-201	Amended	V. 11, p. 317
44-12-202	Amended	V. 11, p. 317
44-12-204	Amended	V. 11, p. 317
44-12-205	Amended	V. 11, p. 317
44-12-208	Amended	V. 11, p. 317
44-12-209	Amended	V. 11, p. 317
44-12-209	Amended	V. 11, p. 317
44-12-301	Amended	V. 11, p. 317
44-12-307	Amended	V. 11, p. 317
44-12-308	Amended	V. 11, p. 317
44-12-309	Amended	V. 11, p. 317
44-12-312	Amended	V. 11, p. 317
44-12-313	Amended	V. 11, p. 318
44-12-314	Amended	V. 11, p. 318
44-12-315	Amended	V. 11, p. 318
44-12-316	Revoked	V. 11, p. 318
44-12-317	Amended	V. 11, p. 318
44-12-319	Amended	V. 11, p. 318
44-12-321	Amended	V. 11, p. 318
44-12-323	Amended	V. 11, p. 318
44-12-324	Amended	V. 11, p. 319
44-12-325	Amended	V. 11, p. 319
44-12-326	Amended	V. 11, p. 319
44-12-328	New	V. 11, p. 319
44-12-401	Amended	V. 11, p. 319
44-12-501	Amended	V. 11, p. 319
44-12-502	Amended	V. 11, p. 319
44-12-503	Amended	V. 11, p. 319
44-12-505b	New	V. 11, p. 320
44-12-601	Amended	V. 11, p. 320
44-12-602	Amended	V. 11, p. 321
44-12-701	Revoked	V. 11, p. 321
44-12-901	Amended	V. 11, p. 321
44-12-902	Amended	V. 11, p. 322
44-12-1001	Amended	V. 11, p. 322
44-12-1002	Amended	V. 11, p. 322
44-12-1101	Amended	V. 11, p. 322
44-12-1201	Amended	V. 11, p. 322
44-12-1202	Amended	V. 11, p. 322
44-12-1301	Amended	V. 11, p. 323
44-12-1302	Amended	V. 11, p. 323
44-12-1303	Amended	V. 11, p. 323
44-12-1304	Revoked	V. 11, p. 323
44-12-1306	Amended	V. 11, p. 323
44-12-1307	Amended	V. 11, p. 324
44-13-101	Amended	V. 11, p. 324
44-13-101a	Amended	V. 11, p. 325
44-13-103	Amended	V. 11, p. 325
44-13-104	Amended	V. 11, p. 325
44-13-106	Amended	V. 11, p. 325
44-13-115	Revoked	V. 11, p. 325
44-13-201	Amended	V. 11, p. 325
44-13-201b	New	V. 11, p. 326
44-13-202	Amended	V. 11, p. 327
44-13-203	Amended	V. 11, p. 327
44-13-301	Revoked	V. 11, p. 327
44-13-302	Revoked	V. 11, p. 327
44-13-302a	New	V. 11, p. 327
44-13-303	Revoked	V. 11, p. 328
44-13-304	Amended	V. 11, p. 328
44-13-401	Amended	V. 11, p. 328
44-13-402	Amended	V. 11, p. 328
44-13-403	Amended	V. 11, p. 328
44-13-404	Amended	V. 11, p. 330
44-13-405	Revoked	V. 11, p. 331
44-13-405a	Amended	V. 11, p. 331
44-13-406	Amended	V. 11, p. 331
44-13-407	Revoked	V. 11, p. 332
44-13-408	Amended	V. 11, p. 332
44-13-501	Amended	V. 11, p. 332
44-13-502	Revoked	V. 11, p. 332
44-13-502a	New	V. 11, p. 332
44-13-503	Revoked	V. 11, p. 332
44-13-504	Revoked	V. 11, p. 333
44-13-506	Amended	V. 11, p. 333
44-13-507	Amended	V. 11, p. 333
44-13-601	Amended	V. 11, p. 333
44-13-603	Amended	V. 11, p. 333
44-13-610	Amended	V. 11, p. 333
44-13-701	Amended	V. 11, p. 333
44-13-702	Amended	V. 11, p. 334
44-13-703	Amended	V. 11, p. 334
44-13-704	Amended	V. 11, p. 334
44-13-705	Amended	V. 11, p. 334
44-13-706	Amended	V. 11, p. 334
44-13-707	Amended	V. 11, p. 335

44-15-101	Amended	V. 11, p. 335
44-15-102	Amended	V. 11, p. 335
44-15-105a	New	V. 11, p. 336
44-16-104	Amended	V. 11, p. 337

AGENCY 51: DEPARTMENT OF HUMAN RESOURCES— DIVISION OF WORKERS' COMPENSATION		
Reg. No.	Action	Register
51-24-1	Amended	V. 11, p. 212
51-24-4	Amended	V. 11, p. 212
51-24-8	New	V. 11, p. 213
51-24-9	New	V. 11, p. 213
51-24-10	New	V. 11, p. 214

AGENCY 54: KANSAS STATE LIBRARY		
Reg. No.	Action	Register
54-1-23	New	V. 11, p. 1894

AGENCY 60: BOARD OF NURSING		
Reg. No.	Action	Register
60-3-105	Amended	V. 10, p. 1040
60-3-106	Amended	V. 10, p. 1040
60-4-101	Amended	V. 11, p. 83
60-4-103	Amended	V. 11, p. 1193
60-8-101	Amended	V. 10, p. 496
60-9-101	Revoked	V. 10, p. 1040
60-9-102	Revoked	V. 10, p. 1040
60-9-103	Revoked	V. 10, p. 1193
60-9-104	Revoked	V. 11, p. 83
60-9-105	Amended	V. 11, p. 83
60-9-106	New	V. 10, p. 1041
60-9-107	New	V. 11, p. 83
60-9-109	New	V. 10, p. 1041
60-11-103	Amended	V. 11, p. 1193
60-11-110	Revoked	V. 10, p. 1042
60-11-111	Revoked	V. 10, p. 1042
60-11-112	New	V. 10, p. 1042
60-11-113	New	V. 10, p. 1042, 1497
60-11-114	New	V. 11, p. 85
60-11-116	New	V. 10, p. 1042
60-11-117	New	V. 10, p. 1042
60-11-118	New	V. 10, p. 1042
60-11-119	New	V. 10, p. 1043
60-12-101	Revoked	V. 10, p. 1043
60-12-102	Revoked	V. 10, p. 1043
60-12-103	Revoked	V. 10, p. 1043
60-12-105	New	V. 11, p. 85
60-12-106	New	V. 10, p. 1043
60-12-109	New	V. 10, p. 1043
60-13-101	Amended	V. 10, p. 496
60-13-105	Revoked	V. 10, p. 1044
60-13-106	Revoked	V. 10, p. 1044
60-13-107	Revoked	V. 10, p. 1044
60-13-108	Revoked	V. 10, p. 1044
60-13-110	New	V. 10, p. 1044
60-13-111	New	V. 10, p. 1044
60-13-112	New	V. 10, p. 1044
60-13-113	New	V. 11, p. 85
60-13-115	New	V. 10, p. 1044
60-15-101	Amended	V. 10, p. 1045
60-15-102	Amended	V. 10, p. 1045
60-15-103	Amended	V. 10, p. 1046
60-15-104	Amended	V. 10, p. 1046

AGENCY 63: BOARD OF MORTUARY ARTS		
Reg. No.	Action	Register
63-1-1	Amended	V. 10, p. 1698
63-1-3	Amended	V. 10, p. 1698
63-1-12	Amended	V. 10, p. 1699
63-3-11	Amended	V. 10, p. 1700
63-3-17	Amended	V. 10, p. 1700
63-3-19	Amended	V. 10, p. 1700
63-3-20	Amended	V. 11, p. 133
63-3-21	New	V. 11, p. 133
63-4-1	Amended	V. 10, p. 1701
63-6-1	Amended	V. 10, p. 1701

AGENCY 65: BOARD OF EXAMINERS IN OPTOMETRY		
Reg. No.	Action	Register
65-4-1		
through		
65-4-5	New	V. 11, p. 470, 471
65-5-1		
through		
65-5-8	New	V. 11, p. 472, 473

65-6-8	Revoked	V. 11, p. 473
65-6-11	Revoked	V. 11, p. 474
65-6-12	Revoked	V. 11, p. 474
65-6-16	Revoked	V. 11, p. 474
65-6-25	Revoked	V. 11, p. 474
65-6-30	Revoked	V. 11, p. 474
65-6-33	Revoked	V. 11, p. 474
65-6-36	Revoked	V. 11, p. 474
65-6-37	Revoked	V. 11, p. 474
65-7-1	Revoked	V. 11, p. 474
65-7-2	Revoked	V. 11, p. 474
65-7-4	Revoked	V. 11, p. 474
65-7-8	Revoked	V. 11, p. 474
65-7-9	Revoked	V. 11, p. 474
65-7-11	Revoked	V. 11, p. 474
65-7-12	Revoked	V. 11, p. 474
65-7-13	Revoked	V. 11, p. 474
65-7-14	Revoked	V. 11, p. 474

65-8-1		
through		
65-8-4	New	V. 11, p. 474, 475
65-9-1		
through		
65-9-5	New	V. 11, p. 475, 476
65-10-1	New	V. 11, p. 476
65-10-2	New	V. 11, p. 477
65-10-3	New	V. 11, p. 477
65-11-1	New	V. 11, p. 477
65-11-2	New	V. 11, p. 477
65-11-3	New	V. 11, p. 477

AGENCY 66: BOARD OF TECHNICAL PROFESSIONS		
Reg. No.	Action	Register
66-6-1	Amended	V. 11, p. 406
66-6-3	Amended	V. 11, p. 407
66-6-4	Amended	V. 11, p. 407
66-6-6		
through		
66-6-9	Amended	V. 11, p. 408
66-7-1	Amended	V. 11, p. 408
66-7-2	Amended	V. 11, p. 408
66-8-1		
through		
66-8-6	Amended	V. 11, p. 409
66-9-1		
through		
66-9-4	Amended	V. 11, p. 409, 410
66-10-1		
through		
66-10-12	Amended	V. 11, p. 410, 411
66-11-1	Amended	V. 11, p. 411
66-11-2	Amended	V. 11, p. 412
66-11-3	Amended	V. 11, p. 412
66-12-1	New	V. 11, p. 412
66-13-1	New	V. 11, p. 412

AGENCY 67: BOARD OF HEARING AID EXAMINERS		
Reg. No.	Action	Register
67-3-4	New	V. 10, p. 887

AGENCY 68: BOARD OF PHARMACY		
Reg. No.	Action	Register
68-2-20	Amended	V. 11, p. 1611
68-7-10	Amended	V. 10, p. 1082
68-7-12	Amended	V. 11, p. 1611
68-9-1	Amended	V. 10, p. 1083
68-11-1	Amended	V. 11, p. 1612
68-12-2	Amended	V. 11, p. 1612, 1830
68-14-1		
through		
68-14-7	New	V. 11, p. 665, 666
68-20-15a	Amended	V. 10, p. 1084
68-20-18	Amended	V. 10, p. 1084
68-20-19	Amended	V. 10, p. 1085

AGENCY 69: BOARD OF COSMETOLOGY		
Reg. No.	Action	Register
69-3-2	Amended	V. 11, p. 1749
69-3-11	Amended	V. 11, p. 1749
69-6-5	Amended	V. 11, p. 1749
69-7-1	Revoked	V. 11, p. 1800
69-7-2	Revoked	V. 11, p. 1800
69-7-3	Revoked	V. 11, p. 1800
69-7-4	Revoked	V. 11, p. 1800

69-7-5	Revoked	V. 11, p. 1800
69-7-7	Revoked	V. 11, p. 1800
69-7-14	Revoked	V. 11, p. 1800
69-7-16	Revoked	V. 11, p. 1800
69-7-22	Revoked	V. 11, p. 1800
69-7-23	Revoked	V. 11, p. 1800
69-7-25	Revoked	V. 11, p. 1800
69-7-26	Revoked	V. 11, p. 1800
69-7-27	Revoked	V. 11, p. 1800
69-11-1	Amended	V. 11, p. 1749

AGENCY 74: BOARD OF ACCOUNTANCY

Reg. No.	Action	Register
74-2-7	Amended	V. 10, p. 840
74-4-6	Amended	V. 10, p. 841
74-4-7	Amended	V. 11, p. 847
74-5-2	Amended	V. 11, p. 847
74-5-103	Amended	V. 11, p. 848
74-5-104	Amended	V. 11, p. 848
74-5-202	Amended	V. 11, p. 849
74-5-203	Amended	V. 11, p. 849
74-5-403	Amended	V. 10, p. 842

AGENCY 75: CONSUMER CREDIT COMMISSIONER

Reg. No.	Action	Register
75-6-11	Amended	V. 11, p. 1176
75-6-24	Amended	V. 11, p. 908
75-6-26	Amended	V. 11, p. 1176

AGENCY 81: OFFICE OF THE SECURITIES COMMISSIONER

Reg. No.	Action	Register
81-2-1	Amended	V. 10, p. 1242
81-3-1	Amended	V. 10, p. 1242
81-3-2	Amended	V. 10, p. 1244
81-4-1	Amended	V. 10, p. 1245, 1316
81-4-2	New	V. 10, p. 172
81-4-3	New	V. 10, p. 1440
81-5-8	Amended	V. 10, p. 1245
81-5-9	New	V. 10, p. 1440
81-6-1	Amended	V. 10, p. 173

AGENCY 82: STATE CORPORATION COMMISSION

Reg. No.	Action	Register
82-3-101	Amended	V. 10, p. 887
82-3-103	Amended	V. 11, p. 38
82-3-106	Amended	V. 11, p. 38
82-3-307	Amended	V. 10, p. 976
82-3-600	Amended	V. 10, p. 890
82-3-600b	New	V. 10, p. 890
82-3-601	Revoked	V. 10, p. 891
82-3-601a	New	V. 10, p. 891
82-3-601b	New	V. 10, p. 891
82-3-602	Amended	V. 10, p. 891
82-3-605	New	V. 10, p. 892
82-4-1	Amended	V. 11, p. 810
82-4-2	Amended	V. 10, p. 1121
82-4-3	Amended	V. 11, p. 810
82-4-6a	Amended	V. 10, p. 1122
82-4-6b	Revoked	V. 10, p. 1122
82-4-6d	Amended	V. 10, p. 1122
82-4-19a	Revoked	V. 10, p. 1123
82-4-20	Amended	V. 11, p. 811
82-4-27	Amended	V. 10, p. 1123
82-4-27a	Amended	V. 10, p. 1124
82-4-27c	Amended	V. 11, p. 812
82-4-27e	Amended	V. 11, p. 812
82-4-27g	New	V. 11, p. 812

AGENCY 86: REAL ESTATE COMMISSION

Reg. No.	Action	Register
86-1-4	Amended	V. 10, p. 1466
86-1-5	Amended	V. 10, p. 531
86-1-11	Amended	V. 10, p. 1466
86-1-13	Amended	V. 11, p. 1230
86-3-10	Amended	V. 10, p. 1467
86-3-21	Amended	V. 10, p. 1467
86-3-23	New	V. 11, p. 1832
86-3-24	New	V. 11, p. 1832

AGENCY 88: BOARD OF REGENTS

Reg. No.	Action	Register
88-2-1	Amended	V. 10, p. 1467
88-2-2	Amended	V. 10, p. 1467
88-2-3	Amended	V. 10, p. 1467

88-2-4	Amended	V. 10, p. 1468
88-3-1	Amended	V. 10, p. 1468
88-3-2	Amended	V. 10, p. 1508
88-3-3	Amended	V. 10, p. 1469
88-3-5	Amended	V. 10, p. 1469
88-3-8	Amended	V. 10, p. 1469
88-3-9	Amended	V. 10, p. 1469
88-3-10	Amended	V. 10, p. 1469
88-3-11	Amended	V. 10, p. 1469
88-3-12	Amended	V. 10, p. 1470
88-8-2	Amended	V. 11, p. 1675
88-8-9	New	V. 11, p. 1675
88-9-3	Amended	V. 11, p. 1675
88-13-4	Amended	V. 11, p. 1675
88-13-11	Amended	V. 11, p. 1675
88-18-3	Amended	V. 11, p. 1676
88-18-8	Amended	V. 11, p. 1676
88-19-2	Amended	V. 11, p. 1676
88-19-4	Amended	V. 11, p. 1676
88-20-3	Amended	V. 11, p. 1676
88-20-9	Amended	V. 11, p. 1677
88-21-3	Amended	V. 11, p. 1677
88-21-8	Amended	V. 11, p. 1677

AGENCY 91: DEPARTMENT OF EDUCATION

Reg. No.	Action	Register
91-1-27d	New	V. 11, p. 765
91-1-68	Revoked	V. 10, p. 1046
91-1-68a	New	V. 10, p. 1046
91-1-68b	New	V. 10, p. 1047
91-1-68c	New	V. 10, p. 1048
91-1-68d	New	V. 10, p. 1049
91-1-69	Revoked	V. 10, p. 1050
91-1-101b	Amended	V. 10, p. 1050
91-1-112a	Amended	V. 10, p. 1051
91-1-150	Amended	V. 10, p. 1051
91-5-2	Amended	V. 11, p. 1144
91-5-7	Amended	V. 11, p. 1584
91-10-1	Revoked	V. 10, p. 1051
91-10-1a	New	V. 10, p. 1052
91-12-22	Amended	V. 10, p. 1052
91-12-23	Amended	V. 11, p. 765
91-12-25	Amended	V. 10, p. 1055
91-12-51	Amended	V. 10, p. 1056
91-12-61	Amended	V. 11, p. 766
91-12-73	Amended	V. 10, p. 1056
91-31-7	Amended	V. 10, p. 686
91-35-1		
through		
91-35-4	New	V. 10, p. 909, 910
91-37-1		
through		
91-37-4	New	V. 10, p. 910, 911

AGENCY 92: DEPARTMENT OF REVENUE

Reg. No.	Action	Register
92-12-112	New	V. 11, p. 559
92-51-34	Amended	V. 11, p. 559
92-52-9	Amended	V. 11, p. 559
92-52-9a	New	V. 11, p. 560
92-55-2a	New	V. 10, p. 531, 587

AGENCY 93: DEPARTMENT OF REVENUE—DIVISION OF PROPERTY VALUATION

Reg. No.	Action	Register
93-5-1	New	V. 11, p. 554

AGENCY 99: BOARD OF AGRICULTURE—DIVISION OF WEIGHTS AND MEASURES

Reg. No.	Action	Register
99-8-8	Amended	V. 10, p. 1322
99-8-9	Amended	V. 10, p. 1322
99-25-1	Amended	V. 10, p. 1322
99-25-2	Amended	V. 10, p. 1322
99-25-3	Amended	V. 10, p. 1322
99-30-2	Amended	V. 10, p. 1322
99-30-3	Amended	V. 10, p. 1323
99-30-4	Amended	V. 10, p. 1323
99-30-5	Amended	V. 10, p. 1323
99-30-6	Amended	V. 10, p. 1323
99-31-3	Amended	V. 10, p. 1323
99-31-4	Amended	V. 10, p. 1323
99-32-1		
through		
99-32-6	Revoked	V. 10, p. 1323

AGENCY 100: BOARD OF HEALING ARTS

Reg. No.	Action	Register
100-10a-4	Amended	V. 10, p. 653
100-11-1	Amended	V. 11, p. 1039, 1117
100-49-5	New	V. 11, p. 1084

AGENCY 105: BOARD OF INDIGENTS' DEFENSE SERVICES

Reg. No.	Action	Register
105-3-9	Amended	V. 11, p. 1832

AGENCY 109: BOARD OF EMERGENCY MEDICAL SERVICES

Reg. No.	Action	Register
109-1-1	Amended	V. 11, p. 131
109-2-7	Amended	V. 10, p. 1789
109-5-1	Amended	V. 10, p. 1789
109-5-4	New	V. 10, p. 1790
109-7-1	Amended	V. 10, p. 1790
109-8-1	Amended	V. 10, p. 1791
109-9-1	Amended	V. 10, p. 1791
109-9-4	Amended	V. 10, p. 1791
109-9-5	New	V. 11, p. 133
109-11-2	Amended	V. 10, p. 1792
109-11-6	Amended	V. 10, p. 1792
109-11-9	New	V. 10, p. 1792

AGENCY 110: DEPARTMENT OF COMMERCE AND HOUSING

Reg. No.	Action	Register
110-4-1		
through		V. 11, p. 1176-1178,
110-4-4	New	1258-1260
110-5-1		
through		V. 11, p. 1370, 1371
110-5-6	New	1703, 1704

AGENCY 111: THE KANSAS LOTTERY

Reg. No.	Action	Register
111-1-2	Amended	V. 7, p. 1190
111-1-5	Amended	V. 8, p. 586
111-2-1	Amended	V. 7, p. 1995
111-2-2	Amended	V. 9, p. 1675
111-2-2a	Revoked	V. 9, p. 1675
111-2-6	Amended	V. 11, p. 136
111-2-7	Revoked	V. 10, p. 1210
111-2-13	Revoked	V. 10, p. 881
111-2-14	New	V. 9, p. 30
111-2-15	Revoked	V. 10, p. 881
111-2-16	Revoked	V. 10, p. 1210
111-2-17	Revoked	V. 10, p. 1210
111-2-18	Revoked	V. 11, p. 413
111-2-19	Revoked	V. 11, p. 413
111-2-20	New	V. 11, p. 199
111-2-21	New	V. 11, p. 1471
111-3-1	Amended	V. 10, p. 1210
111-3-9	Revoked	V. 11, p. 1793
111-3-10		
through		
111-3-31	New	V. 7, p. 201-206
111-3-11	Amended	V. 8, p. 299
111-3-12	Amended	V. 10, p. 12
111-3-13	Amended	V. 11, p. 1148
111-3-14	Amended	V. 10, p. 12
111-3-16	Amended	V. 9, p. 1566
111-3-19		
through		
111-3-22	Amended	V. 9, p. 30
111-3-20	Amended	V. 11, p. 1148
111-3-21	Amended	V. 11, p. 1148
111-3-22	Amended	V. 11, p. 1148
111-3-23	Revoked	V. 10, p. 883
111-3-25	Amended	V. 11, p. 1149
111-3-26	Amended	V. 11, p. 1149
111-3-27	Amended	V. 11, p. 1149
111-3-29	Revoked	V. 11, p. 1149
111-3-31	Amended	V. 8, p. 209
111-3-32	Amended	V. 10, p. 883
111-3-33	New	V. 7, p. 1434
111-4-1	Amended	V. 8, p. 134
111-4-2	Amended	V. 7, p. 1063
111-4-4	Amended	V. 7, p. 1063
111-4-6	Amended	V. 7, p. 1434
111-4-7	Amended	V. 7, p. 1945
111-4-8	Amended	V. 7, p. 1064
111-4-12	Amended	V. 7, p. 1190

(continued)

111-4-66 through 111-4-77	New	V. 7, p. 207-209	111-4-341 Revoked	V. 11, p. 1473	111-6-13 Amended	V. 8, p. 299
111-4-96 through 111-4-114	New	V. 7, p. 1606-1610	111-4-341a New	V. 11, p. 1793	111-6-17 Revoked	V. 10, p. 1475
111-4-100 Amended		V. 11, p. 1472	111-4-341b New	V. 11, p. 1794	111-7-1 through 111-7-10	New V. 7, p. 1192, 1193
111-4-101 Amended		V. 11, p. 976	111-4-344 Amended	V. 11, p. 1473	111-7-1 Amended	V. 8, p. 212
111-4-102 Amended		V. 11, p. 976	111-4-346 through 111-4-361	New V. 10, p. 1586-1589	111-7-3 Amended	V. 11, p. 1796
111-4-103 Amended		V. 10, p. 1211	111-4-362 through 111-4-365	New V. 10, p. 1723	111-7-3a New	V. 11, p. 1796
111-4-104 Amended		V. 11, p. 1793	111-4-362 Amended	V. 11, p. 13	111-7-4 Amended	V. 9, p. 1367
111-4-105 Amended		V. 11, p. 977	111-4-366 through 111-4-379	New V. 11, p. 136-139	111-7-5 Amended	V. 9, p. 986
111-4-106 Amended		V. 11, p. 1472	111-4-380 through 111-4-383	New V. 11, p. 477, 478	111-7-6 Amended	V. 9, p. 987
111-4-106a Amended		V. 11, p. 1149	111-4-384 through 111-4-387	New V. 11, p. 414	111-7-9 Amended	V. 9, p. 1569
111-4-107 Amended		V. 11, p. 978	111-4-388 through 111-4-400	New V. 11, p. 478-481	111-7-11 Amended	V. 10, p. 1475
111-4-108 Amended		V. 11, p. 978	111-4-401 through 111-4-404	New V. 11, p. 980, 981	111-7-12 through 111-7-32	New V. 7, p. 1194-1196
111-4-110 Amended		V. 11, p. 978	111-4-405 through 111-4-413	New V. 11, p. 756, 757	111-7-33 through 111-7-43	New V. 7, p. 1197, 1198
111-4-111 Amended		V. 9, p. 1366	111-4-413 through 111-4-405		111-7-33a New	V. 8, p. 300
111-4-112 Amended		V. 11, p. 978	111-4-409 Amended	V. 11, p. 1473, 1474	111-7-44 through 111-7-54	New V. 9, p. 1367-1370
111-4-113 Amended		V. 9, p. 1366	111-4-411 Amended	V. 11, p. 1474	111-7-54 New	V. 11, p. 1152
111-4-114 Amended		V. 9, p. 1366	111-4-412 Amended	V. 11, p. 1475	111-7-46 Amended	V. 11, p. 1511
111-4-153 through 111-4-160	Revoked	V. 9, p. 1676, 1677	111-4-413 Amended	V. 11, p. 1475	111-7-55 through 111-7-63	Revoked V. 10, p. 1217
111-4-177 through 111-4-212	Revoked	V. 9, p. 1677, 1678	111-4-414 through 111-4-428	New V. 11, p. 981-983	111-7-60 Amended	V. 10, p. 262
111-4-213 through 111-4-220	Revoked	V. 10, p. 1213	111-4-428 Amended	V. 11, p. 1150	111-7-64 through 111-7-75	New V. 11, p. 13, 14
111-4-217 Amended		V. 9, p. 986	111-4-432 New	V. 11, p. 1118	111-7-75 New	V. 11, p. 1797
111-4-221 through 111-4-224	Revoked	V. 10, p. 1585	111-4-433 through 111-4-436	New V. 11, p. 1150, 1151	111-7-66a New	V. 11, p. 1797
111-4-225 through 111-4-228	Revoked	V. 10, p. 1585	111-4-437 through 111-4-444	New V. 11, p. 1475-1477	111-7-76 through 111-7-83	New V. 11, p. 1478-1480
111-4-229 through 111-4-236	Revoked	V. 10, p. 1585, 1586	111-4-445 through 111-4-453	New V. 11, p. 1794-1796	111-8-1 New	V. 7, p. 1633
111-4-237 through 111-4-240	Revoked	V. 11, p. 413	111-4-454 through 111-4-457	New V. 11, p. 1944	111-8-2 New	V. 7, p. 1633
111-4-241 through 111-4-244	New	V. 9, p. 1812	111-5-1 through 111-5-23	New V. 7, p. 209-213	111-8-3 Amended	V. 10, p. 886
111-4-245 through 111-4-248	New	V. 10, p. 200	111-5-23 through 111-5-29		111-8-4 New	V. 7, p. 1714
111-4-249 through 111-4-252	New	V. 9, p. 1813	111-5-29 through 111-5-33	New V. 11, p. 415-418	111-8-4a New	V. 7, p. 1995
111-4-253 through 111-4-256	New	V. 10, p. 530	111-5-33 Amended	V. 11, p. 481	111-8-5 through 111-8-13	New V. 7, p. 1634
111-4-257 through 111-4-286	Revoked	V. 11, p. 413, 414	111-5-33 Amended	V. 11, p. 481	111-9-1 through 111-9-12	New V. 7, p. 1714-1716
111-4-287 through 111-4-300	New	V. 10, p. 883-886	111-5-33 Amended	V. 11, p. 481	111-9-12 through 111-9-13	Revoked V. 9, p. 1680
111-4-301 through 111-4-307	New	V. 10, p. 1015, 1016	111-5-33 Amended	V. 11, p. 481	111-9-13 through 111-9-18	Revoked V. 9, p. 1680
111-4-301 through 111-4-306	Amended	V. 11, p. 979	111-5-33 Amended	V. 11, p. 481	111-9-18 through 111-9-25	New V. 9, p. 699, 700
111-4-308 through 111-4-320	New	V. 10, p. 1214, 1215	111-5-33 Amended	V. 11, p. 481	111-9-25 through 111-9-30	New V. 10, p. 262
111-4-308 Amended		V. 10, p. 1472	111-5-33 Amended	V. 11, p. 481	111-9-30 through 111-9-31	New V. 10, p. 1439, 1440
111-4-311 Amended		V. 10, p. 1472	111-5-33 Amended	V. 11, p. 481	111-9-31 through 111-9-36	New V. 8, p. 136-138
111-4-312 Amended		V. 10, p. 1472	111-5-33 Amended	V. 11, p. 481	111-9-36 through 111-9-37	Amended V. 8, p. 301
111-4-322 through 111-4-331	New	V. 10, p. 1411-1413	111-5-33 Amended	V. 11, p. 481	111-9-37 through 111-9-48	
111-4-332 through 111-4-335	New	V. 10, p. 1473	111-5-33 Amended	V. 11, p. 481	111-9-48 through 111-10-1	
111-4-336 through 111-4-345	New	V. 10, p. 1526-1528	111-5-33 Amended	V. 11, p. 481	111-10-1 through 111-10-9	
111-4-336 through 111-4-340	Amended	V. 11, p. 1472, 1473	111-5-33 Amended	V. 11, p. 481	111-10-9 Amended	
111-4-339 Amended		V. 11, p. 1793	111-5-33 Amended	V. 11, p. 481		

AGENCY 112: KANSAS RACING COMMISSION

Reg. No.	Action	Register
112-4-1	Amended	V. 11, p. 1331
112-4-4	Amended	V. 11, p. 165
112-4-5	Amended	V. 11, p. 1332
112-4-6	Amended	V. 11, p. 1332
112-4-8	Amended	V. 11, p. 1332
112-4-9a	New	V. 11, p. 1332
112-4-12	Amended	V. 11, p. 1332
112-4-13	Revoked	V. 11, p. 1333
112-4-14b	New	V. 10, p. 162
112-4-16	Amended	V. 11, p. 1333
112-4-17	Amended	V. 11, p. 1333
112-4-18	Amended	V. 11, p. 1333
112-4-19	Amended	V. 11, p. 1333
112-4-21	New	V. 10, p. 162
112-4-21a	New	V. 11, p. 1334

112-4-22	Amended	V. 11, p. 1334
112-4-23	New	V. 11, p. 1334
112-6-1		
through		
112-6-5	Amended	V. 10, p. 163-165
112-6-8	Amended	V. 10, p. 165
112-7-2	Amended	V. 11, p. 1334
112-7-5		
through		
112-7-10	Amended	V. 11, p. 1334-1336
112-7-13	Amended	V. 11, p. 1336
112-7-15	Revoked	V. 11, p. 1336
112-7-15a	New	V. 11, p. 1337
112-7-15b	New	V. 11, p. 1337
112-7-16	Amended	V. 11, p. 1338
112-7-16a	New	V. 11, p. 1338
112-7-18	Amended	V. 11, p. 1338
112-7-18a	New	V. 11, p. 1339
112-7-20	Amended	V. 11, p. 1339
112-7-21	Amended	V. 11, p. 1339
112-7-22	Amended	V. 11, p. 1340
112-7-23	New	V. 11, p. 1341
112-8-3	Amended	V. 10, p. 166
112-8-4	Amended	V. 10, p. 167
112-8-5	Amended	V. 10, p. 167
112-8-8	Amended	V. 10, p. 168
112-8-10	Amended	V. 10, p. 168
112-9-11a	New	V. 11, p. 560
112-9-12		
through		
112-9-21	Revoked	V. 11, p. 560, 561
112-9-12a	New	V. 11, p. 561
112-9-13a	New	V. 11, p. 561
112-9-14a	New	V. 11, p. 561
112-9-15a	New	V. 11, p. 562
112-9-16a	New	V. 11, p. 563
112-9-16b	New	V. 11, p. 563
112-9-17a	New	V. 11, p. 564
112-9-18a	Amended	V. 11, p. 1864
112-9-19a	New	V. 11, p. 565
112-9-21a	New	V. 11, p. 566
112-9-22	Revoked	V. 11, p. 566
112-9-22a	New	V. 11, p. 566
112-9-39	Revoked	V. 11, p. 568
112-9-39a	Amended	V. 11, p. 1864
112-9-40	Revoked	V. 11, p. 568
112-9-40a	Amended	V. 11, p. 1865
112-9-41	Revoked	V. 11, p. 570, 754
112-9-41a	Amended	V. 11, p. 1866
112-9-42	Amended	V. 11, p. 1868
112-9-43	Amended	V. 11, p. 1870
112-9-44	New	V. 11, p. 1870

112-10-2		
through		
112-10-6	Amended	V. 11, p. 1341-1344
112-10-8	Amended	V. 11, p. 1344
112-10-9	Revoked	V. 11, p. 1345
112-10-9a	New	V. 11, p. 1345
112-10-12	Amended	V. 11, p. 1345
112-10-32	Amended	V. 11, p. 1345
112-10-33	Amended	V. 11, p. 1346
112-10-34	Amended	V. 10, p. 169
112-10-35	Amended	V. 11, p. 1346
112-10-36	Revoked	V. 11, p. 165
112-10-36a	New	V. 11, p. 37, 135
112-10-37	Amended	V. 11, p. 1347
112-11-13	Revoked	V. 11, p. 1347
112-11-13a	New	V. 11, p. 1347
112-11-21	Amended	V. 10, p. 263, 531
112-12-12	Amended	V. 10, p. 170
112-13-2	Amended	V. 10, p. 170
112-13-4	New	V. 10, p. 171
112-13-5	New	V. 10, p. 171
112-16-1		
through		
112-16-14	New	V. 10, p. 1316-1318
112-17-1		
through		
112-17-14	New	V. 11, p. 1612-1617
112-18-2		
through		
112-18-19	New	V. 11, p. 1512-1516, 1579-1583

AGENCY 115: DEPARTMENT OF WILDLIFE AND PARKS

Reg. No.	Action	Register
115-1-1	Amended	V. 11, p. 599
115-2-1	Amended	V. 11, p. 1329
115-2-2	Amended	V. 11, p. 1330
115-2-3	Amended	V. 11, p. 1330
115-2-4	Amended	V. 11, p. 1330
115-4-1	Amended	V. 10, p. 458
115-4-3	Amended	V. 11, p. 601
115-4-5	Amended	V. 11, p. 602
115-4-6	Amended	V. 11, p. 603
115-4-7	Amended	V. 11, p. 605
115-4-11	Amended	V. 10, p. 461
115-4-12	New	V. 10, p. 461
115-7-1	Amended	V. 10, p. 1820
115-8-6	Amended	V. 11, p. 1743
115-8-9	Amended	V. 11, p. 1330
115-11-2	Amended	V. 11, p. 1144
115-12-3	New	V. 10, p. 1821

115-13-1		
through		
115-13-5	New	V. 10, p. 917-919
115-14-1		
through		
115-14-10	New	V. 10, p. 1441-1443
115-15-1	Amended	V. 11, p. 1145
115-15-2	Amended	V. 11, p. 1146
115-16-3	Amended	V. 11, p. 1147
115-17-6	Amended	V. 11, p. 606
115-17-7	Amended	V. 11, p. 606
115-17-9	Amended	V. 11, p. 607
115-17-10		
through		
115-17-13	New	V. 10, p. 461, 462
115-17-14	New	V. 11, p. 607
115-18-8	New	V. 11, p. 608
115-20-3	Amended	V. 10, p. 1821
115-20-4	New	V. 10, p. 1821

AGENCY 117: REAL ESTATE APPRAISAL BOARD

Reg. No.	Action	Register
117-1-1	Amended	V. 10, p. 911, 951
117-2-1	Amended	V. 10, p. 911, 952
117-2-2	Amended	V. 10, p. 912, 952
117-2-3	New	V. 10, p. 912, 952
117-2-4	New	V. 10, p. 912, 952
117-3-1	Amended	V. 10, p. 912, 953
117-3-2	Amended	V. 10, p. 913, 953
117-3-3	New	V. 10, p. 913, 953
117-3-4	New	V. 10, p. 913, 953
117-4-1		
through		
117-4-4	New	V. 10, p. 913, 914, 954
117-6-1	Amended	V. 10, p. 914, 954
117-6-2	Amended	V. 10, p. 915, 955
117-6-3	Amended	V. 10, p. 915, 955
117-7-1	Amended	V. 11, p. 657, 722
117-8-1	New	V. 10, p. 916, 956
117-9-1	New	V. 10, p. 916, 956
117-7-1	Amended	V. 11, p. 657

AGENCY 118: STATE HISTORICAL SOCIETY

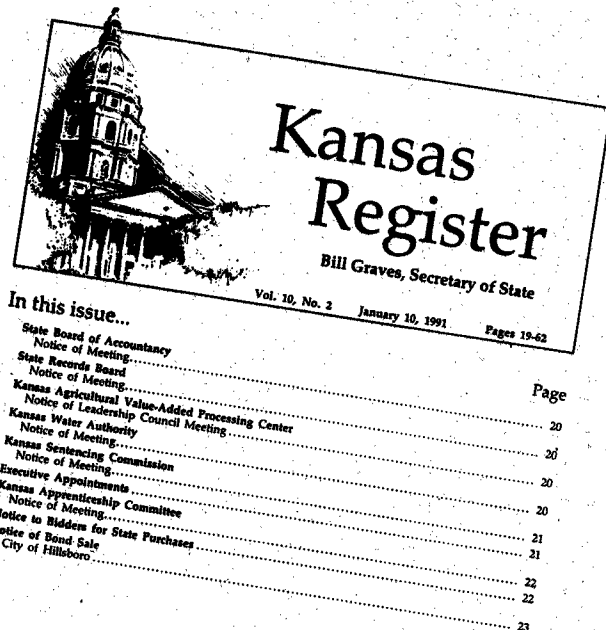
Reg. No.	Action	Register
118-1-1		
through		
118-1-4	New	Vol. 11, p. 1119, 1120
118-2-1	New	V. 11, p. 554

AGENCY 119: KANSAS DEVELOPMENT FINANCE AUTHORITY

Reg. No.	Action	Register
119-1-1	New	V. 10, p. 263
119-1-2	New	V. 10, p. 264
119-1-3	New	V. 10, p. 264

● **NOW AVAILABLE . . .**

CUSTOM-MADE LOOSELEAF BINDERS for the KANSAS REGISTER



We are pleased to announce that custom-made *Kansas Register* binders are now available!

These binders will hold your copies of the *Kansas Register* attractively for permanent use. They are highest quality, durable, casebound Swing Hinge® binders made by McBee Loose Leaf Binder Products. (A Swing Hinge® binder has more capacity and allows for easier interfiling than standard ring binders.) They feature dark blue cloth covering and gold imprinting. Each three-inch binder will hold up to a year's worth of *Register* issues.

Order your binders today!

Kansas Register binders . . . \$18.00 each includes shipping and handling.

CLIP AND MAIL

Dear Secretary Graves: Please send _____ *Kansas Register* binders.
(Quantity)

Price: \$18.00 each, includes shipping and handling.

AMOUNT ENCLOSED \$ _____

SHIP TO:

Shipping is by
U.P.S. Delivery Service;
STREET ADDRESS
IS NECESSARY.

Mail order, with payment, to: *Kansas Register*, Secretary of State, State Capitol, Topeka, KS 66612-1594.

**Kansas Register
Secretary of State
2nd Floor, State Capitol
Topeka, KS 66612-1594**

Use this form or a copy of it to enter a subscription:

_____ **One-year subscriptions @ \$60 ea.**
(Kansas residents must include
\$3.54 state and local sales tax.)

Total Enclosed _____
(Make checks payable to the Kansas Register)

Send to:

(Please, no
more than
4 address
lines.)

Zip code must be included

Rec. No. _____ Exp. _____ Code _____

This space for Register office use only.

Use this form or a copy of it to enter a name or address change:

Remove your mailing label (above) and affix it here:

**Indicate change of name or address
here:**

**Mail either form to: Kansas Register, Secretary of State, 2nd Floor,
State Capitol, Topeka, KS 66612-1594**